

FOCUS MIDWEST

68

An unsolicited, supplemental document to the report of the National Advisory Commission on Civil Disorders

Accused: THE POLICE

Guilty:

CAIRO, ILLINOIS
CHICAGO, ILLINOIS
EAST ST. LOUIS, ILLINOIS
FREEPORT, ILLINOIS
ST. LOUIS, MISSOURI
WAUKEGAN, ILLINOIS
WELLSTON, MISSOURI

Not Guilty:

COLUMBIA, MISSOURI
GALESBURG, ILLINOIS
PEORIA, ILLINOIS
ST. JOSEPH, MISSOURI
SPRINGFIELD, ILLINOIS

On Parole:

CARBONDALE, ILLINOIS
KANSAS CITY, MISSOURI



OUT OF FOCUS

(Readers are invited to submit items for publication, indicating whether the sender can be identified. Items must be fully documented and not require any comment.)

The editors of *The New People*, weekly newspaper for the Kansas City-St. Joseph Catholic Diocese, reported to their readers that they are "unable to bring . . . a report of the action of the Priests Senate" because their reporter "was asked to leave the meeting . . ." The Editorial comment notes, "Making decisions in open session is part and parcel of the renewal called for by the Diocesan Synod and the Second Vatican Council. The Senate, after all, is one of the new structures of communication."

On November 17, the U.N. General Assembly condemned Portuguese colonialism in Africa. It was passed by a vote of 82:7. The United States was one of seven voting against it.

Ruth Buchanan, wife of former Ambassador Wiley Buchanan, sold some of her paintings recently at the Washington Gallery of Art. "That was the first dollar I ever earned in my life," exclaimed the Dow Chemical heiress.

Quoted by Liberation News Service from the *Washington Evening Star*

LeRoi Jones, the black writer, received a two- to three-year sentence for allegedly carrying a gun during the Newark uprising. The severity of the sentence was caused by a poem he wrote. The judge read one particular poem in court and stated, according to the *New York Times*, "that he based the severity of Jones' punishment to a large extent on a poem published last month in *Evergreen Review*."

Before the Christmas holidays, Sheriff Joseph I. Woods ordered the confiscation of all prisoners' radios and books, prohibited inmates from receiving presents and from hanging decorations in the Cook County Jail. Only 20 per cent of the inmates have been tried, the others are awaiting trial. Moreover, about 50 per cent of those who stand trial will eventually be released without conviction. In response to the ACLU charge, Sheriff Woods accused ACLU of "complete" hypocrisy, because "the ACLU has been suing various governmental units around the country to eliminate Christmas scenes from public buildings and schools."

Glen Michael Watson was sentenced by Jackson County (Mo.) Judge David T. Cavanaugh to 35 years in the penitentiary for armed robbery. When Watson committed the robbery he was 16 years of age. The judge said the term of 35 years was imposed "by reason of his deplorable record beginning when he was 12 years old."

Lewis B. Hershey, director of the Selective Service System has asked local board appeal agents — which have, whenever possible, legal training and experience — to turn over to local boards information in their possession as to potential acts of delinquency by registrants, in order that individuals expressing unpopular views might be speedily inducted. Appeal agents, attorneys in many cases, are supposed to protect equally the interests of the registrants and that of the Government. Betraying the registrant's trust violates legal ethics and a confidential relationship.

Paraphrased from an article by Robert Layton in the *American Bar Association Journal*

Illinois State Superintendent of Public Instruction Raymond Page recommended that students be expelled from state institutions of higher learning for opposing the Vietnam war and burning their draft cards.

James Conlisk, Chicago Superintendent of Police, predicts a quiet summer — while all his top assistants were changing their August furlough plans to other months.

In Bristol, Rhode Island the town council passed an ordinance outlawing "hanging around."

From ACLU Feature Press Service

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Letters

Conflict in the Church

F/M: What is appalling about the whole silencing business in our Archdiocese is the damage done to good men. Fine Christian human beings have been humiliated and irrevocably injured. Father Thomas is a zealous man, possessing sharp intelligence, indomitable courage, and a keen interest in people. He has no fear of the "lay theologian," does not see the active involvement of the "People of God" (Vatican II's phrase) as a thing to be frightened of. His is a rare talent: an ability to inspire through relevant speech and infectious enthusiasm. When there was lethargy — he could galvanize into action. When there was puzzlement he could always patiently explain; make a situation clear through apt examples. His message to the laymen is always: Don't just mouth phrases like a mindless parrot! Don't just sit there like a lump! Don't just watch! Participate! Be active! Wake Up! Stop "Playing Church." and "Be Church." To call a man like this disloyal, to silence and "exile" a man who was our spokesman, whose ideals were our ideals — this is the bone in the throat we will never be able to choke down.

When I read a recent magazine article on Dutch Catholicism this phrase struck home. "... In America, the hierarchy is a heavy block. The tension there must be unbearable. I fear that in America, there will be an explosion somewhere. A blockbuster..."

Mr. & Mrs. Joseph L. Colonna
Florissant, Mo.

Correction

F/M: Want to take this opportunity to bring to your attention an error which appeared in your recent editorial on Senate voting. (Vol. 5, No. 38, Page 6.) You express "disappointment" over my vote on amendment 291 to the Election Reform bill. The *Congressional Record* of September 12, 1967, shows that I voted for the amendment which you say I voted against. I voted for this amendment because I fully agree with the need for legislation requiring all members of Congress and all candidates for Congress to make public a personal financial statement.

You will be interested to know that the Election Reform bill which I supported and which passed 87-0 was almost identical to the Clean Elections bill which I introduced in the 87th and 88th Congresses.

Edward V. Long
United States Senator

(EDITOR'S NOTE: Our original mention referred to Senator Long's vote in support of Senator Monroney's motion to table (kill)

Senate Bill 355, which dealt with financial disclosures. We are glad to note that Senator Long is now convinced that disclosure legislation should be enacted and accordingly voted for such an amendment in September.)

In Search of the Model City

F/M: Citizen participation has come to have a meaning and a variety of forms which changes as you move from one part of the country to another. Each of these is associated with a different goal, usually implicit.

First, citizen participation differs according to the type and extent of "sponsorship" involved. One pattern has been to develop citizen participation directly or indirectly sponsored by the political structure of the community. The attitudes expressed by these citizen participants may safely be expected to reflect those of an incumbent political machine, rather than those of the neighborhood residents they allegedly "represent." The implied goal of this sort of citizen participation is to provide "grass-roots" legitimation for the attitudes and plans of elected officials.

Another type of sponsorship is that of public social service agencies. With a specific mandate from OEO to involve the poor, the CAP agencies are the most frequent sponsors of this type. Here, the agency seeks to create citizen committees to advise them in their work and, consequently, the committees owe their very existence and sole function to the CAP. Elevated to prominence in their neighborhood, the citizen leaders are flattered by the amount of attention they are getting from important people downtown, and have less and less time to spend with their neighbors. Never too trusting of public agencies, the neighbors now become suspicious of their representatives, and in rare cases may even try to replace them in a reform campaign at the next election of advisory committee members. At this point, however, the agency staff, whose jobs are threatened by an unfriendly advisory committee, give their full support to the incumbent, "cooperative" citizen candidates. In the face of competition with a paid professional staff backed up by a variety of tangible agency resources, the reform slate is doomed from the start.

A more recent view of "participation" is that held by most social service agencies, in which citizen representatives are invited to "advise" professional staff. In some cases this takes the form of one or two seats on a 15-member board, which meets once or twice a year, and participates in agency

policy or management about as much as do the stockholders of G.M.C. at their annual meeting. Poverty program advisory committees are more daring, meeting usually once a month, and constituted completely of poor citizen-clients. While these committees can and occasionally do "raise a fuss" with professional staff, they have actually no real power to make policy and are, in any case, usually meek and cooperative before their agency-sponsors.

In both of these types of participation, the goal is primarily to satisfy, at the least possible cost to the public agency or commission, a federal requirement for citizen ratification of any federally-funded program. Responsibility for "blunders" is thus transferred from either the federal or local agency, to an amorphous citizenry, who "participated" in the planning.

It is clear that none of these familiar versions of citizen participation has brought citizens very close to the planning or decision-making process.

The St. Louis Program

The St. Louis Model City Agency was organized on December 1, 1966. We established a planning process that can be best described as a "dumbbell planning process." We call it the top-down and the bottom-up form of planning. The top-down version consists of gathering together the power structure of a particular area of concern, or subsystem, as we call it, and gathering them together to examine what has been done, what needs to be done, what resources are available to carry off the program, and what resources need to be made available.

The bottom-up version of the planning was accommodated by sending into the field interdisciplinary teams of hardware and software planners. We sent architects, real estate economists, social scientists, and community organizers, and charged them with the responsibility of serving the people, for being the people's professionals. These people we called our subcity teams and they were persons required to implement our bottom-up planning. They will be able to carry out the action portion of the program, that is, creating new businesses and new development companies in the neighborhoods themselves.

There are three distinguishable goals. *One*, we should involve the greatest number and variety of residents in the planning process. *Two*, we should provide a means through which residents' hopes and plans are not merely included in the final plan but are influential in drawing it. In other words, residents should have meaningful access to the final decision-making process in Model City planning. *Three*, we must insure that residents learn how to control their own environment, to "work the system" in a metropolitan community with or without the assistance of Model City staff or even Model City funds.

While our present citizen participation model could probably achieve the first goal, that of involving the greatest possible number and variety of residents, experience with this model have demonstrated to us that it is not at all clear how this model implements the provision of means through which the residents' plans are included in the final plan and insuring that the residents do, in fact, learn how to control their own environment. No amount of protestations of good intentions can counter the reality of their being on the Model City payroll and accountable primarily, therefore, to the Model City Agency. Not only do we decide rather paternalistically that the subcity neighborhoods need a subcity team composed of specified professionals, but we also choose the individuals to fill the team positions. The team is, then, at a possible disadvantage to begin with, having to spend time gaining the acceptance of people who never asked for them in the first place.

It is not clear, either, just how the plans laid in the subcities are to realistically "influence" the final planning downtown. Resident access to the final decision-making as provided for in our present plan smacks of tokenism more than anything else — I refer here to the ritualistic inclusion of a few residents on the subsystem advisory committees and on the steering committee.

In the case of the third goal that of giving residents control of their environment, target area residents will learn to do no more than participate in Model City planning (a very future-oriented, frustrating process) in our present scheme. It is not clear how their advocate planners, on the payroll of a city agency, can help them to bargain aggressively with the larger community for the resources so long denied to ghetto neighborhoods.

New Model Advanced

For these reasons, a new model of citizen participation needs to be tested. This model, which the St. Louis Model City Agency endorses, might more descriptively be termed "citizen initiation." Here, neighborhood residents are encouraged to form their own community organization and to incorporate it for the purpose of going into the neighborhood improvement business on their own. Non-profit corporate status enables them to seek and receive funds to design and operate their own programs. In this case, the "advisory" shoe is on the other foot, as the neighborhood corporation *hires* professional consultants to provide technical assistance where needed.

The St. Louis Model City Agency has therefore altered its citizen participation model in the following manner:

First, we will develop, in each of the five subcity neighborhoods, a non-profit, neighborhood corporation, representative of the whole neighborhood and all of its existing groups and leaders, and capable of receiving

funds.

Second, we will seek funds from governmental agencies and supplementing our planning grant, to be granted to the neighborhood corporations for the purpose of hiring their own technical assistants or professionals, principally, although not exclusively, to be their advocates in the Model City planning process.

Third, we will trim our projected subcity teams' staff down to one or two liaison persons, accountable to the Chief Planner, who will "float" among the neighborhoods and assist the neighborhood corporation staff, as well as to coordinate their Model City planning efforts.

Fourth, we will provide training for the neighborhood corporation staff and officers — primarily to teach them the rules of our Model City planning game.

Fifth, we will provide for numerically equal representation on all Model City Agency decision-making committees, of target area residents — possibly officers of the neighborhood corporation or else elected delegates. While it is conceded that the final approval or veto belongs to the Mayor and Board of Aldermen, minimally we will be willing to guarantee a major role to our clients (or sponsors) — the poor — in all decision-making up to that point.

These suggestions constitute a fairly simple but admittedly controversial change in our citizen participation model. They are advocated for practical reasons. Our accumulated experience suggests these methods will be more effective in achieving the goals of the Model Cities program. They are also advocated for moral reasons. We have been meticulously and realistically thorough in our involvement of and assurances to the establishment in all its manifestation — city hall, political figures, city, state, federal and local private agencies. They are all well represented in all of our decision-making bodies. But when it comes to our clients, our *raison d'être*, we have been cautious to the point of being niggardly. We're forever going to "look out for their interests," but it seems we will do this in our way and without much sacrifice. Who, indeed, if not us, is going to look out after their interests? And doesn't this include giving them a voice and a vote on our own decision-making bodies? We have not really done this.

A. Donald Bourgeois
Director, Model City Agency
St. Louis

Yes, We Do . . .

F/M: . . . Certainly you will label me a crackpot but it is with great sobriety that I say your magazine, from all points of view, is tainted with Communistic philosophy and un-American thought. I feel certain that you gentlemen are far too intelligent to agree with me and I feel certain that your editorial advisors are most distinguished individuals

who are lighting the way for the Viet Cong through the guise of heavy contributors to our journalistic society. One day perhaps your fleet of Ph.D.'s will realize just how ridiculous their efforts have been. May I suggest that you reprint Pravda in English and conserve your energies for more vicious endeavors. May I offer my sincere condolences in light of the above and congratulate you on your misfortune.

Patrick D. Rackers
Jefferson City, Mo.

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Police and Order

The *New York Times* reports that 3,000 local, state, and federal agencies have purchased spray guns. From other sources we learn that civilians are being recruited as reserves, high-power rifles are stockpiled, sharpshooters are trained, liberal and civil rights movements are infiltrated by undercover agents, police and national guard units conduct riot training, law enforcement agencies consult on "counter-insurgency" plans, social scientists design ways of maintaining order in the ghetto; in brief, every resource is mobilized to suppress any disturbances.

It may well be that this overreaction to the threat of riots may intensify race hatred. It tells whites to arm against Negroes. It tells Negroes that even legitimate protests will reap nothing else but suppression. Specifically, such public display of overwhelming power without the relief of compensating community programs in the ghetto, will aggravate the black community's major grievance: police practices.

We vaguely remember the pre-Watts days when the idea of rioting in American streets (not that anyone seriously conceived it as a possibility) was dismissed as alien to the American mode of doing things. Today, the country is fearful. This fear is not only due to the threat of violence emanating from the ghetto, but it is also due to the threat of violence emanating from the police.

It was to be expected that the initial response from the police to the report of the National Advisory Commission on Civil Disorders would be hostile. While it must be acknowledged that the police are caught between (white) majority demands to maintain order and the sins of the past and present, it must also be said that the police are the enforcer of the white racism which the Kerner Commission so forthrightly denounced.

The police must withdraw from their political and racial involvement while maintaining law and order. As a first step the National Advisory Commission recommends, among others, a review to ensure proper conduct of police, the elimination of dual standards of law enforcement, fair mechanisms for the redress of grievances, hiring and promotion of Negro policemen, and community service programs.

The Chicago police have made a good start. It has announced a summer recreation program for 70,000 children. It has called upon the city's businessmen to help find jobs for youth over 16. These programs will not change the ghetto's image of the police without implementing the other recommendations of the Commission. One unjustified killing by a policeman hushed up as a justified homicide may trigger a community explosion. It is not enough, as Chicago is doing so professionally, to engage in a massive propaganda program to "keep a cool summer." It must convince, that means give hope, to the militant black and white radicals who have just about given up.

The report by the National Commission offers the hope of redemption. It is a beginning. It is a beginning only because a white, governmental commission is saying it. Black militants have said exactly the same for many years.

Of course, not only the police but every level of administration and politics must measure up to this report.

Police and Law

The vast majority of policemen are not racist, they are not brutal, and they are not oblivious to democratic

processes. Citizen distrust and suspicion are kindled, however, when the policeman's sense of loyalty becomes involved. Not unlike other strongly cohesive groups, such as prison inmates, the policemen tend to protect the lawbreaker in their midst. Sworn responsibility to the public is surrendered in favor of loyalty to an errant colleague.

The same frame of mind will lead most policemen to prejudge the material collected in this issue. The articles indict only the offenders of law and order as well as the administrators of public authority who, too frequently, shield the offender. The conscientious policeman caught between "thugs in the blue uniform," as so aptly phrased by the *St. Louis Post-Dispatch*, and police administrations who cannot admit deviant behavior on their force, is as much the victim as the brutalized public.

Police reform must come not only along lines of traditional abuse — from derogatory comments to outright murder — but also in another, even more sensitive area of our society. The policeman is being used to control political activity. Dominant political authorities, not only in the South but in cities such as Chicago, St. Louis, Aurora (Ill.), Columbia (Mo.), and other communities have employed the police to suppress democratic, non-violent, legitimate expression of political views. This we consider more subversive to public order than any case of police brutality. It poisons the body politic.

Symbolically, in an unbelievable effrontery to the citizens of St. Louis, the St. Louis Police Department gave its Citizens' Law Enforcement Award to an operator of a portable lunch wagon who held an impromptu outside dance which drowned out H. Rap Brown when he tried to speak. Edward Dowd, president of the police board and an attorney, and Police Chief Curtis Brostron personally issued this citation which mocks the free speech safeguards of the First Amendment. How can we ask citizens to have faith in orderly processes, if the highest authorities show such contempt for our constitutional precepts?

This award revealed the propensity of the Department to view order as defined by the holders of power rather than as stipulated by law. Jay Miller's article about Chicago and Jules Gerard's review of St. Louis happenings score this point heavily.

The System and Non-Violent Change

Since the days of FDR, the Democratic Party has been the party of reform. The outs, the minorities, the dissenters, had worked occasionally through third parties, but just as often through the Democratic Party in the hope of affecting national policy. This is rapidly changing. Instead of welcoming the reformers, the Democrats reject them. Yet, in frustration, they (call them what you may: civil righters, leftists, anti-Vietnam dissenters) cannot completely cut the ties nor do they have an alternative. The Democratic National Convention in August may become the focal point of their fury, the liberals working within the Convention for Senator Eugene J. McCarthy, and the other left-of-center supporters converging in the many, many thousands to lay siege to the Convention.

Depending on who runs the demonstrations, they may range from non-violent, orderly marches to attempts to utterly disrupt the proceedings and not even allow the Convention to take place. If the legitimate protest movement which is gaining an ever-increasing number of supporters, degenerates into a violent and

destructive force, it will be met by a police and governmental force of such numbers and such ferocity that all resistance will collapse.

Only a peaceful, orderly, massive but non-violent protest can be heard. "Heard" implies that the "system" contains a saving remnant which can lift America out of its own savagery, domestic and foreign. This we believe. A society which can produce a document such as the report by the National Commission on Disorders (and we did not hesitate to dismiss this Commission as another exercise in futility when it was appointed) and which is on the brink of enacting a nationwide fair housing law, displays the power of regeneration. If the charge is made that the report means nothing, then the deaths of black and white martyrs, the daily marches led by Father Groppi, the hunger strike by Dick Gregory, the election of Negro mayors, and even the exhortations of Stokely Carmichael mean nothing. Such absurdity we cannot buy.

Non-violence does not mean condoning police or government violence. Non-violence is as lofty an ideal as racial justice. We can have both.

Suburban School System May Be Challenged in the Courts

Are the present suburban public schools in the United States constitutional? In a talk at the Chicago Center for Policy Study, Arthur E. Wise reasoned:

Discrimination in education on account of race is unconstitutional. Discrimination in proceedings on account of poverty is unconstitutional. Therefore, discrimination in education on account of poverty is unconstitutional.

Discrimination in education on account of race is unconstitutional. Discrimination in legislative apportionment on account of geography is unconstitutional. Therefore, discrimination in education on account of geography is unconstitutional.

Discrimination in education on account of race is unconstitutional. Discrimination in voting on account of poverty is unconstitutional. Therefore, discrimination in education on account of poverty is unconstitutional.

Wise suggests that since the equal protection clause speaks to the states and since most state constitutions explicitly place responsibility for education on state (and not local) government, the above conclusions based on previous Supreme Court decisions declare the present inequities between suburban and urban schools unconstitutional.

Chicago Superintendent of Schools James F. Redmond and Edward H. Levi, provost and president-elect of the University of Chicago, have similarly recommended court suits attacking school-aid systems that lead to inequalities between the city and suburb, according to the *Chicago Sun-Times*. This legal approach was also advanced by Julian H. Levi, professor of urban studies at the University of Chicago and brother of the provost, because state equalization of the difference in taxable wealth is limited and the students who need the most in educational funding derive the least from their school districts. The Detroit Board of Education actually has filed such a case against the State of Michigan.

These recommendations open up new legal fronts. While the civil rights and anti-poverty movement has advanced in many respects beyond the courtroom, progress by judicial decree must not be ignored. Indeed, a Supreme Court decision in this area might be welcomed both by educators and public officeholders

in the city and the suburbs who are then free to obey "the law of the land" without being politically embarrassed.

A favorable court decision would not necessarily move school boundaries, but would enforce financing of all schools on a fully equal basis. Without it, state governments will give only token recognition to the need for equalizing financing. (Missouri, for example, was the 44th state in spending for education in 1967.)

Efforts by the St. Louis Board of Education to have the surrounding affluent suburban school districts accept a portion of the heavy student load in their schools offers a classic example of well-intentioned people getting nowhere. The city board dispatched form letters to the suburban boards without any prior contact or negotiations and released the contents to the press before the letters were even received. This convinced the suburban board members that this approach was taken only "for the record" and not with any real expectations that it would lead to constructive ends.

While all the suburban boards turned the request down, the Clayton Board resolved to talk to the St. Louis Board. (So far no talks have been held.)

Before the Federal government is asked, as the recently concluded conference of the American Association of School Administrators did, to equalize educational opportunities across the country, why not pressure the state governments to equalize educational opportunities within the state? But school administrators, as other politicians, cannot afford to embarrass anyone back home. In contrast, a court decision equalizing educational opportunities could be enforced — slowly, tediously, but with the real hope of creating better schools.

("A Tale of Two Cities," written by William Kottmeyer, superintendent of the St. Louis public schools, appeared too late for detailed comment in this issue. Appearing on the same day the national "riot report" was issued, it is an honest and devastating portrayal of life in the ghetto and the consequences for children. The superintendent's report emphasizes by implication that many educators are now willing to actively participate in shaping social policy.)

New HEW Provision Mocks Findings of Kerner Commission

Political controls have been introduced into funding by the U.S. Health, Education, and Welfare Department. Under a new special provision which parties to negotiated contracts with HEW have to sign, participants in local programs are at the mercy of local law enforcement agencies and local "justice."

In compliance with Public Law 90-132, which requires that an anti-riot provision be included in all contracts using 1968 fiscal year funds, executives of local agencies have been asked to sign the following:

Effective from January 15, 1968, the Contractor agrees that no part of the funds derived from this contract shall be used to provide payments, assistance, or services, in any form, with respect to any individual convicted in any Federal, State, or local court of competent jurisdiction, of inciting, promoting, or carrying on a riot, or any group activity resulting in material damage to property or injury to persons, found to be in violation of Federal, State, or local laws designed to protect persons or property in the community concerned.

This stipulation makes conviction by some biased

local court — and they do not exist only in the South — one of the determining factors whether HEW funds can be used. The bitter irony of this ruling mocks the conclusions of the Kerner Commission. HEW funds in particular are aimed at eradicating the causes which create riots. Rather than involving those individuals who in desperation broke the laws of the land, they are cut off from participating in building a healthier society.

In view of the political use of police and courts, it is difficult to judge in advance whether a "group activity" will result in some conviction. This uncertainty coupled with the threat of withdrawal of funding, will immobilize hundreds of persons in the social welfare field and keep them from contributing to social and political "group activity."

Is it possible that this political intimidation is the real meaning of Public Law 90-132?

A Hot Race for Senator in the Offing

U.S. Senator Edward V. Long (Dem., Mo.) will be opposed in the Missouri Democratic primary by Lt. Gov. Thomas F. Eagleton and W. True Davis, Jr., former assistant secretary of the treasury. Senator Long's record in civil liberties is in the highest tradition of his predecessor, the late Senator Thomas C. Hennings. Otherwise, he is a follower rather than a leader.

The key challenger, Thomas F. Eagleton, is resourceful, brimming with energy, and would add to Missouri politics a personality not unlike that of the Kennedy clan. Moreover, unlike Long who fully endorses the Administration Vietnam policy, Eagleton has voiced serious reservations and favors a bombing stop. We will have more to say about the primary at a later date.

The third candidate, Davis, has said little of substance. What he did say showed him to be for "Americanism" and against "Communism." We are tempted to comment: fine, what else is new. He has also had a longtime association with the rightist Veterans of Foreign War and has served as their Americanism Chairman. In that capacity and on some other occasions, he has been responsible for a number of pronouncements which, in the least, make him guilty of very unsophisticated red-baiting and adherence to a crude cold war policy long antiquated. Following are some of his positions which we culled from various sources.

On foreign policy:

"We must first realize we are in a fight to the death with the Communist nations."

On student exchanges, trade, or other dealings with Communist countries:

"We cannot continue to have dealings with any of the Communist controlled countries for in every instance they have 'used' the United States to their own advantage. The exchange of students, or any other dealings with Iron Curtain countries, by all means is not fostering the best interests of the United States."

On recognizing American Communists:

"The suspected person defends the views of persons or publications known to be pro-communist, pseudo-liberal, or just plain leftists." (This was one point of ten in a VFW booklet edited under Davis' chairmanship.)

On recommended reading:

"I Was a Slave in Russia," by John Noble. (Noble operated a camera factory in Germany during World War II, he is a radical rightist, and presently one of Wallace's chief lieutenants on the East Coast.) Other books by far rightists he endorsed include: "I Led Three Lives," by Herbert Philbrick; "The Naked Communist," by W. Cleon Skousen; and "You Can Trust the Communists," by Fred C. Schwartz.

These statements, in our opinion, do not qualify Mr. Davis to run on the Democratic party ticket.

The University Club and Apartheid

It deserves reiteration that private clubs have the legal right to practice apartheid. This means also that every Club member voluntarily contributes to splitting the American nation into two and that every institution which meets there furthers racial separatism.

It took five years since we first accused the Missouri Athletic Club in St. Louis, the Kansas City Club, the Lake Shore Club and the Illinois Athletic Club in Chicago, to see any change from their white-only policy. In a token response to increasing public pressure, the MAC is likely to drop its formal written requirements that whites only can belong or be guests. In practice, of course, nothing will change. As the *St. Louis Review*, the weekly Archdiocesan paper, pointed out, no private clubs in the St. Louis area have any Negro members even without written restrictions. It could be said that the MAC was just more honest.

One of the private clubs which has escaped public attention in St. Louis is the University Club. Of course, no Negroes belong. The official rule is that if a member rents an entire floor, Negroes are permitted to participate. However, no member can take a Negro in the general dining room or even into one rented room.

The University Club rules require all members to have a minimum of two years of college and special privileges are extended to members who are full-time teachers. Many organizations and groups, such as the Barnes Hospital Medical Society, regularly meet there, although some members refuse to attend or are not permitted to attend meetings at the Club. We do not understand how any group affiliated in any way with institutions of learning can subsidize apartheid. Neither can we condone that the heads of many educational institutions are members. If some of them were made "honorary members" without their permission, they should publicly resign.

If men of learning fail to read the handwriting on the wall, what can we expect of conservative businessmen who happen to belong to the MAC?

Freedoms Foundation Lacks Backbone

Motherhood, God, and Patriotism have come to St. Louis. Oozing with the American Way of Life *a la* Reagan, the Freedoms Foundation of Valley Forge has taken by storm the hearts of a group of suburban society matrons who founded a Greater St. Louis Chapter of the Ladies' Society of the Freedoms Foundation to help spread the gospel. It is one of nine such groups in the country.

Except for its saccharin approach, and the waste of

resources on trivialities while ignoring the hard issues particularly in our urban communities, nothing objectionable meets the eye on first glance. They honor George Washington's birthday. They honor the Congressional Medal of Honor winners. They honor free enterprise. They honor our soldiers. They are good patriots espousing Our American Way of Life.

Those who object to the Foundation must, by definition, be the Enemy. After all, who, but the Enemy, could object to George Washington, free enterprise, the Medal of Honor winners, and old-fashioned patriotism?

In fact, however, the Freedoms Foundation represents on a grand scale an effort to indoctrinate America, particularly American youth, with an ultra-conservative economic philosophy (quite out of touch with current American economic thought), with a Gold-water point of view on politics (overwhelmingly defeated by the American electorate not so long ago), and with a "Fundamental Belief in God" as basic to our political system (in direct opposition to the American commitment to separate Church and State). This, then, is the Foundation's "American Way of Life." While it claims to be nonpolitical, nonsectarian, and nonprofit, we accuse it of promoting a specific political and a religious view through its thousands of incentive awards, its seminars and workshops, and its institutes for educators. Two-thirds of all awards go to teachers and children.

Must we say that the Foundation has every right to further its particular ideology, enlist followers, and accept funds from its 250,000 contributors? Of course, it has. But it should have the backbone to stand erect under an honest banner, shun the underhanded, and loudly proclaim its colors.

The Foundation shows its hand only indirectly. For example, concern for the disadvantaged in the form of federal programs becomes un-American. This is the definite implication of giving an award to a *St. Louis Globe-Democrat* cartoonist who — in the words of the *Globe* — showed a representative of the Federal Aid for Everything Group "bundling up Old Fashioned Initiative" to the point of smothering him in "Cradle-to-the-Grave Benevolence."

The Ladies in St. Louis, incidentally, are more honest. Their leader puts it clearly: "It is so necessary to counteract unpatriotic demonstrations like anti-war rallies and draft card burning with a demonstration of our support of a successful free-enterprise system." While the one has absolutely nothing to do with the other (in spite of the ladies, one could support a free-enterprise system while opposing the war), their proclamation is straightforward: Down with political dissent (which some of us thought to be part of the American Way of Life).

The St. Louis Ladies, with the help of the U.S. Government and the *Globe* (which has devoted to the Chapter the top half of one page in a December issue, a four-page spread in a Sunday magazine in January, and another one and a half-page in February) have staged a black tie cotillion at \$35 a couple in support of the Foundation. The Government aid at taxpayers' expense includes color guards from the different branches of the armed services and a 40-member choir from the Naval Air Training Command (Pensacola, Fla.) flown here for this event. The backers raised \$14,000, which will finance three-week summer seminars for 25 teachers at Valley Forge. Their initial goal was to underwrite grants for 40 teachers.

The full story of the Foundation has been placed into context by Greg Walter in the prestigious *Philadelphia* magazine, a 200-page monthly. In an article entitled, "Snow Job at Valley Forge," the author reveals that the Foundation's main objective now is to indoctrinate school children in a conservative credo, adding: "It is doing so with the full cooperation of the United States Government and with the support of business leaders, service clubs, retired generals, politicians, religious leaders, giant corporations, astronauts, Boy Scouts, segregationists, and John Birchites. It is doing so as a tax-free foundation, under the ultimate subsidization of every American taxpayer."

Kenneth D. Wells, president of Freedoms Foundation since 1951, is the principal staff officer and spokesman. Well's speeches usually follow the pattern of a warning against communism as a force threatening to destroy the American system *from within* and a call to return to the values of the Fathers, as the right wing interprets them, with the emphasis on rights involving property. He is also listed as one of several nationally known speakers who have appeared on the right wing Harding College Freedom Forum Programs.

The *Texas Observer* (12-25-59) has quoted him as saying: "... left-wing teaching is permeating our schools. I have a daughter at Temple University, and she comes home in tears almost every night from the socialistic things she hears there. I believe, and this is not a special case I'm talking, either, that the reason for it lies in the fact that of the 35 students in one of her classes, 17 are Jews and 12 are Negroes. That is where these ideologies that are not in keeping with our American heritage are coming from." Wells has denied making this statement, but the *Texas Observer* maintains (and knowing the *Observer*, we believe it) that it is an accurate verbatim quotation.

A *Life* magazine article (2-9-62) entitled "Who's Who in the Tumult of the Far Right" includes this paragraph: "Faculty lecturers in some schools occasionally make startling deviations from the solemn role of the educator. Lecturing at Project Alert, Dr. Kenneth D. Wells, president of a group called Freedoms Foundation, suddenly switched his delivery away from the audience and began to yell at the TV cameras: 'I want to talk to you Marxists and traitors out there' he bellowed. 'I know you're glued to your television screens. Get this, and get it straight! Get the message, Comrades. This country's 20-year Rip Van Winkle sleep is over!'"

No, the Freedoms Foundation should not be classified with extremists on the right such as the Birchites, but its nationwide educational and political program plants the ideological seeds upon which Birchites and their ilk grow.

Oppose Illinois Death Penalty

The Illinois Committee to Abolish Capital Punishment intends to make another effort during the 1969 Illinois General Assembly. The Committee is seeking supporters throughout the state and those willing to work in this drive should write to the Illinois Committee to Abolish Capital Punishment, c/o ACLU, 19 South LaSalle Street, Chicago, Illinois 60603.

One of the judicial paradoxes is the exclusion from capital juries of persons conscientiously opposed to the death penalty. A Gallup Poll shows 47 per cent of all Americans opposed and only 42 per cent in favor. Thus, capital punishments are always passed on only by the 42 per cent. This practice is being challenged in the courts.

VERDICT: GUILTY

Racism Marks Chicago Police

Jay A. Miller



James B. Conlisk



Orlando W. Wilson

A mob of demonstrators protesting the permissive transfer of seven Negro children to the Mt. Greenwood Elementary School in Chicago attacked two counter-pickets, Terrence Burke and William Leben, as they quietly paraded in front of the school. The police arrested the counter-pickets and charged them with disorderly conduct and resisting arrest. The arresting policemen and the officer in charge of the station called the pickets "nigger lovers." The anti-integration demonstration was not organized by the local civic association but by Operation Crescent, a segregationist, suburban hate organization.



Governor Otto Kerner of Illinois has twice vetoed the "stop and frisk" bill. This action — applauded by civil libertarians and civil rights — has occasioned considerable amusement among the young men and teenagers who live in the south- and westside ghettos, the Division Street Latin-American area, and the Uptown southern-white areas of Chicago. Any kid "on the street" could tell the Governor that "stop and frisk" has been the law in Chicago for a long time. Decisions by the Governor, or for that matter by the U.S. Supreme Court, will not intimidate the Chicago police. Former Police Superintendent Orlando W. Wilson stated publicly just before retiring that any policeman would be a fool not to "stop and frisk."

Any three young men standing on a corner on a hot night in these areas will invariably be chased off by a passing policeman. If they don't move fast enough they are likely to be lined up over the squad car or against a brick wall and searched. They also know that if they are stupid enough or humiliated enough to object to the procedure (even though they know that kids in "better" neighborhoods can stand on any corner with impunity), they are likely to get pistol whipped and arrested for their big mouths. The usual charge is disorderly conduct and resisting arrest. If they are beaten severely enough, the charge of assault is added.

Most youngsters will cooperate. They are wise to the ways of the streets. It is a brutal life where they must survive no matter how angry it makes them or how disrespectfully they are spoken to. Some can't take it. The lucky ones are booked and must provide bail. The less lucky ones are shot in the back of the head.

A young articulate black man who works at the post office and lives at a Y.M.C.A. has been stopped *twenty times* in the last year and a half. Every now and then he has gotten disgusted enough to object and inform the police of his constitutional rights, refusing to cooperate. When that happens, he has been arrested and charged with disorderly conduct and resisting arrest. He must then remain in the police station while he is booked and gets somebody to make bail, unless he happens to be carrying enough cash. He then loses time from work to go to court. The charge is dismissed but the police have *accomplished* what they set out to do, and he will wait until he just can't take it anymore before he asserts his rights again.

The street-wise can tell any number of stories. There is the mechanic who went across the street from his place of work to pay a parking bill. While standing and chatting in the booth with the attendant whom he knew, he was approached by two plainclothesmen who attempted to search him. He objected and asked one of them to identify himself, not certain they were policemen. In response he was pistol whipped and charged with "disorderly and resisting."

A federal judge tells the story of a Negro acquaintance of his who had been stopped on the street by a policeman. The man reminded him that the "stop and frisk" bill had been vetoed, although he acquiesced in the search. The policeman, calling him a wise guy, proceeded with the search. A stranger had observed this encounter and noticing that the policeman was palming a knife, warned the man. The policeman then pretended to pull the knife out of the man's pocket. When he realized that the victim would have a witness, the policeman passed it off as a joke. When the judge was asked what he did about the case, he shrugged, "nothing you can do."

ACCUSED OF FRAME-UPS

There is an understandable predisposition to discount the claims of gang leaders that policemen have planted narcotics and weapons on them. But if one adds up the claims, the proven attempts, and an increasing number of raids on indigenous community leaders — usually effective anti-establishment organizers — and the police department's failure to document their charges in court, the weight of circumstantial evidence sustains the indictment.

A case in point is the Blackstone Rangers, who operate in Chicago's Woodlawn area. No angels, they rose to national prominence when they put on a first-rate musical under the guidance of the First Presbyterian Church and were seriously negotiating with OEO for their own job training program. The police reacted furiously. For a time the entire Ranger leadership was in jail, charged with a variety of offenses including murder. The police were not able to prove most of these charges, many of which smelled strongly of half-hearted frame-ups.

Even church and community groups — especially if they work with the poor — are not immune. The Presbytery, JOIN Community Union, SNCC, The Youth Action Council, Community Renewal, West Side Organization, and the Lutherans have all had police raids on their neighborhood centers. In some cases the police claim to have found narcotics and in others illegal weapons. In two situations everyone was searched at gunpoint. *Not one of these cases have held up in court.*

A group of persons who had attended and organized a large fund raising party for "Spring Mobilization Against the War in Vietnam" were not so fortunate. (See article, "Chicago Police Assumes Political Role," FOCUS/Midwest, Vol. 5, No. 36.) Eleven out of twelve were found guilty of offenses ranging from disorderly conduct to assault and serving liquor to minors on the basis of sharply conflicting police testimony. The trial was the result of a police raid without search warrant on the party in a home of a prominent psychologist in the University of Chicago's upper-middle-class Kenwood area. The verdict is being appealed.

In character with planting narcotics and weapons, is the admitted policy of planting Chicago policemen in civil rights groups. Three undercover Chicago policemen, John Valkenburg, Michael Randy, and Morton Franklin, infiltrated the Chicago Peace Council and invariably took the most extreme positions, trying to move the Council from its nonviolent orientation into the wildest kind of ventures, according to Earl Meyer, council president. Randy once went so far in proving himself that he identified Valkenburg as a policeman. The three were also members of Chicago Area Draft Resisters (CADRE), Students for a Democratic Society, and Citizens for a Democratic Society. The Illinois chapter of the American Civil Liberties Union is taking legal action to outlaw these police state practices.

The Chicago Police Department, so it seems, has decided to ignore the Constitution. As destructive to law and order and as corrosive to the policeman's self-respect as this policy must be, it is a minor problem compared to the unwarranted killings of Negro teenage boys and men.

SHOT IN THE BACK

On March 30, 1967, Ronnie McDowell, 17, with no previous record was shot in the back of the head by a Chicago Transit Authority policeman. On August 25, 1967,

Freddie Hudson, 16, was shot and killed by a police officer in an alley. On September 3, 1967, a Negro high school honor student and captain of the football team, Kenneth Alexander, was shot in the back of the head and killed by a policeman.

Was there any justification for these killings?

McDowell was hit by a drunk with a two-by-four in front of his own yard a half block from the station. He and two other boys chased the drunk into an "L" station and threw bottles at him when they were stopped by a policeman. With his two friends looking on in horror, McDowell was shot while standing with his hands up facing a brick wall. The policeman claimed that McDowell attacked him with a knife. His companions deny this. *These witnesses were never interviewed by the homicide detectives. The homicide division investigated and within 24 hours declared that the killing was justified. The pathologist's report indicates the bullet entered the back of the head. However, the coroner's jury sustained the findings of justifiable homicide.* An appeal to the State's Attorney's office resulted in a cursory investigation in which the eye witnesses again were never interviewed.

Hudson was running in an alley. He was not running away from anything. Just running. The police had been called as a result of a street fracas which didn't involve Hudson. *Although witnesses attempted to warn the officer that he was chasing the wrong person,* Hudson was shot and killed. Again the Homicide Division and the coroner's inquest determined that the killing was justified.

While newspapers and other media paid little attention to the deaths of McDowell and Hudson, the Alexander killing involved a football captain and brought headlines. Alexander was killed in the presence of three companions in a passageway between two buildings. The policeman claims he called to the boys and identified himself. The boys admit they heard a "hey there," but had no indication it was a policeman and were afraid. The policeman came with gun drawn, saw a glint (indicating, in his opinion, a knife in Alexander's hand) and claims he then stumbled, discharging his gun.

The homicide division closed the case with the usual dispatch and without proper investigation. The coroner's jury followed suit. However, the newspapers gave it publicity and the powerful Woodlawn Organization took up the fight. Under pressure, the State's Attorney investigated and took it to the grand jury who refused to indict and ruled that the shooting was accidental even though the closest witnesses testified that the officer did not stumble but took deliberate aim.

The similarities in these cases are terrifying. In each case it was a Negro teenager who allegedly threatened a policeman with a knife and was shot in the back of the head; and in each case the witnesses sharply dispute the findings of the police and the verdict of the coroner's jury.

"KEEPING A COOL SUMMER"

Riots must be stopped is the consensus of civil rights leaders as well as city authorities. The Chicago administration, with the full cooperation of the Negro community and press, devised a political program to "Keep a Cool Summer." Another phase, not publicized, involved the police and the courts.

Wherever a tense situation developed within the ghetto

the police moved in quickly. As a "preventive" measure many persons were arrested, including innocent bystanders who did not "move fast enough." The police claim that they simply wanted to break up groups which were potentially dangerous. They expected most of those arrested — after a brief "cooling off" period — to be released on bond. It is doubtful that they were prepared to press criminal charges against most of those arrested, who were charged with misdemeanors.

However, the court routinely set bail at \$5,000 to \$50,000 (compared to a normal bail on misdemeanors from \$25 to \$1,000) at the request of the Corporation Counsel and without benefit of a hearing, as required by law, to determine if there was probable cause for arrest, if there was any evidence, if those charged had any financial resources, if they had any criminal record, if they could receive an employment discharge, and if the arrest caused a family crisis. *In effect, the mere act of arrest meant imprisonment for a week to a month.* In a volatile situation such methods could have provided the spark for a community explosion. If disorders had erupted, it would have been due more to the damaging role of the courts than that of the police.

The 250 to 300 persons arrested over the summer, all black, were given trial dates from ten days to two weeks later. In many of the subsequent trials it turned out that there was no police evidence of any wrongdoing on the part of those arrested. Nevertheless, many made deals with the Corporation Counsel to plead guilty to the least charge in order to be released.

Political insiders assume that Chicago Mayor Richard J. Daley's success in keeping a cool summer in 1967, has helped to bring the Democratic National Convention to Chicago and is in back of the Mayor's public assurances that the city will remain "cool."

*When charges are made against the police
the whole structure with few exceptions
closes in behind them.*

All the efforts to "keep a cool summer" by the police chief can be undone by the hard bigotry of police officers in the field.

On January 31, two young white men picketed in front of the Mount Greenwood school in support of seven Negro children who had been granted a permissive transfer, as this all-white school was being under-used. For several days, a large number of local citizens and members of Operation Crescent, a right-wing group, had been demonstrating in front of the school in opposing the children's presence.

When the young men, Terence Burke, a graduate student from Northwestern University, and William Leben, a college instructor from Cleveland, came to the school, they informed the policemen on the scene what their plans were, and were told to go ahead but not to cause any trouble. A short time later a couple of the anti-integration demonstrators began to assault them. The young men did not strike back. The police stood by for a while and then came over and told Burke and Leben to leave, which they refused to do. Several plainclothesmen then came up and arrested

them, placing them in unmarked cars. Burke and Leben at first thought that the plainclothesmen were part of the Operation Crescent group and were "taking them for a ride." Several of the officers indulged in racist remarks to both Leben and Burke, suggesting that the anti-integrationists were correct, while the young men were obviously trouble-makers and "nigger-lovers." When they got to the station, even the captain expressed such views. The two were charged with disorderly conduct and resisting arrest.

The ACLU has filed a case enjoining the prosecution and asking for damages for the assault, lack of protection, and arrest. Several other community groups have requested an investigation and discipline of the officers involved, should the investigation prove the allegations.

The most fearsome aspect of police authority is that there is no deterrent in Chicago against bad police practices, except for the individual police officer's own restraint.

When charges are made against the police the whole structure with few exceptions closes in behind them. This includes the Mayor, Corporation Counsel, State's Attorney, the courts, the media, and most public opinion. A telling example of how this is done can be found in Chicago's response to the two small riots that took place in the summer of 1966. The first and milder started on the westside when the police turned off a water hydrant that the kids were using to cool off on a hot day. The second took place in the Latin-American community where police broke up a street fight. One of the fighters ran up an alley. An officer shot him, later claiming self-defense. Witnesses on the street deny this.

THE BLUE-RIBBON WHITEWASH

Since police brutality was a charge in both communities, Mayor Daley choose a blue-ribbon Citizens Committee to study police-community relations. As expected, the Mayor choose businessmen, lawyers, judges, and community leaders with a number of Negroes and a sprinkling of Latin-Americans, but not one representative of the poor, a militant civil rights leader, or in fact anyone who was not tied in some way with the "establishment."

With all of the highly-respected, upper-class attorneys on the board of the Illinois Chapter of the American Civil Liberties Union, not one was asked to serve although they had been deeply involved with police problems over the years and had been in extensive negotiations on complaint procedures with former Superintendent Wilson. Ultimately, the ACLU was invited to meet with a sub-committee on attitudes of the police, but not with the all-important sub-committee on citizens complaint procedures.

The full Committee held several days of open hearings and made a great show of seeking the "truth." The hearings opened with the Mayor and Wilson proclaiming that they had a great police force who almost always behaved and could be handled if they did not. The hearings ended with eloquent pleas for a civilian review board from civil rights leaders Al Raby and Rennie Davis.

After ten months the Committee issued their report — a blatant whitewash. Even the press conference announcing the report found the chairman, attorney Thomas Mulloroy, concentrating on an attack on the United States Supreme Court for hindering the police, while Vice Chairman James Parson, a Federal judge, stood just behind him. Not once did Mulloroy suggest that the Supreme Court might have

issued those decisions because the police had acted so lawlessly that they needed to be restrained, because the Court felt the need to protect the rights of the innocent, or because the poor should be accorded the same rights that well-to-do suspects have always enjoyed.

The report glossed over the question of what happens to a citizen's complaint charging excessive force, verbal abuse, and unwarranted stops and arrests. In fact, the Committee in some instances ignored witnesses and in others distorted their testimony to support the Committee's conclusions.

Dr. Berton Levy, Director of the Community Services Division, Civil Rights Commission, State of Michigan, was one of the witnesses misquoted by the Committee. The re-

Chicago, as do other cities, asks its policemen to perform an almost impossible task.

port cites Dr. Levy, an expert in police-community relations, as having said, "Philadelphia, Rochester, and Washington, D.C. are among the few cities that have a civilian review board. There is no indication that these boards have succeeded in fulfilling the hopes of the Negro community." This statement hardly gives the impression that Dr. Levy actually reported very favorably on his state commission, which independently investigates and holds hearings on citizens' complaints on police abuse.

After the most superficial examination of the Internal Investigation Division of the Police Department, which is responsible for investigating complaints, the Committee gave unabashed praise to its operations. In view of the later shakeup of the IID, this commendation has come to haunt the Committee and its supporters.

According to the report, the Committee relied primarily on an unverified study made previously by attorney Harold A. Smith, who limited his examination to the files of the IID. Smith never interviewed complainants or heard witnesses, or dealt with the fundamental conflict of police investigating police. Nowhere in the Committee's report is there any evidence of interviewing complainants or witnesses to review independently IID investigations. Yet, ironically, the Committee notes that one of the major faults with civilian review boards is their lack of independent investigation.

Even a review of IID statistics should have given the Committee some reason to reconsider its conclusions, unless their very purpose was to issue a deceptive document. For instance, in the year 1965, out of 330 complaints of "brutality," only five, or less than two percent, were sustained by the IID. Of the five complaints sustained, the IID recommended that two officers be suspended, and even these recommendations were overturned by the Internal Police Review Board. One officer received a written reprimand, another received extra duty, and a third received a five-day suspension. In 1966, the IID did somewhat better and sustained 15 complaints out of 512 cases, or three percent. Seven suspensions were overturned, seven received suspensions of two to thirty days, and one policeman was discharged. The partiality of the IID shows up in their refusal to sustain even one of twelve cases which the ACLU

submitted after investigating a great number of complaints in 1966. The intensive study was conducted by experienced attorneys and law professors who selected a few, the "best" cases to test the police department.

The Committee might even have traced several newspaper stories that appeared during the time they were in session. One involved a white attorney who had looked in his own basement window and was arrested as a "peeping tom." He was arrested although neighbors and his family identified him on the spot. The attorney sued and received \$5,000 (taxpayers' money) in an out-of-court settlement from the city. (The IID recommended a three-day suspension for one of the officers. Even this mild slap was overturned by the Department's Review Board and was sustained by former Superintendent Wilson.)

A check into other damage claims by citizens brought to light 17 citizen-filed actions for brutality or unwarranted arrest where the courts ruled in favor of a complainant or the City of Chicago made out-of-court settlements for a total of \$95,000. Not one of the offending policemen was disciplined. This inevitably suggests that the City of Chicago is willing to condone and subsidize the unprofessional conduct of its police officers. The Committee did not research this aspect at all.

The Committee should also have proven by independent means its main premise, that the police are objective enough to investigate themselves. Perhaps, the greatest insult to the citizens of Chicago was the Committee's recommendation for a Registrar of Citizens' Complaints. This addition, suggested the Committee, would solve the principal problem, the citizens' "sense of uneasiness that some reprisals might ensue and a lack of confidence in 'police investigating police,'" and went on to declare this concern as unfounded. Actually, this recommendation placed the burden squarely on the shoulders of the complainants. The Registrar would have no responsibility for following up on complaints, independently investigating them, or even reviewing them after the investigation.

The only good to come out of the report is the Police Department's quick response. Without waiting for the establishment of a Registrar, the Department appointed a young attorney, James Sullivan, to the Superintendent's office. His duty is to review IID investigation reports. While he will be limited to files, he has indicated some interest in spot checking with complainants and witnesses.

POLICEMAN EXPOSES I.I.D

Ironically, it took a policeman to do what the Citizens' Committee would not do. Early last November, six months after the Committee's report was issued, Detective Jack Mueller went directly to Superintendent James B. Conlisk, Jr. to report that policemen were involved in an extensive tire theft and shakedown operation. When asked by the press why he didn't go to the IID, he answered that *he had and they had done nothing. He pointed out the IID had ignored several complaints he had made over the years.*

"The IID is like a great big washing machine," Mueller told the press, "everything they put into it comes out clean." These disclosures led to a shakeup of the IID. The head of the IID was removed, as was the Deputy Superintendent responsible for its supervision.

Two weeks later, two teenagers, one white and one

U. S. Judge Censors "Grab Bag" Ordinances

Just as we go to press, U.S. District Court Judge Hubert L. Will declared invalid Chicago's ordinances covering disorderly conduct and false arrest because the city had used the two ordinances in an unconstitutional manner designed to suppress legal demonstrations. He called the ordinances "grab bags of criminal prohibitions." The Judge told the city to enact immediately valid and constitutional ordinances to cover the offenses.

black, were beaten by three policemen in a police station with rubber hoses. The investigation, pushed by the Chicago *Daily News* and the ACLU, has led to the first grand jury indictment of police for brutality in recent years.

However, in spite of this lonely success, a different kind of system is needed for maintaining police discipline. The ACLU recently proposed that IID men be hired specifically for their jobs and never assigned to the regular force. It also recommended that the reconstituted IID be directly responsible to the Police Superintendent, who should personally review all investigations involving police-citizen shootings. Finally, the ACLU requested that results of IID investigations be available for internal use only, and not as part of a case against a defendant, so that lawyers could more easily be able to counsel their clients to cooperate with the IID.

It is unlikely that these proposals will be adopted.

In spite of superficial efforts in the area of "police-community relations" by the police department, some political leaders, and a few social agencies, Chicago is becoming increasingly divided over police behavior in response to the majority's demand for law and order.

The "good" citizen and certain politicians pressure the police to get tough, while minority groups and the poor are becoming increasingly articulate in their demands for fair treatment. Chicago, as do other cities, asks its policemen to perform an almost impossible task. Where we are unwilling to eliminate the causes of crime and violence — poverty and unemployment; overcrowding; poor educational, medical, and recreational facilities; and discrimination and feelings of hopelessness — we demand that our police hold down violence and crime or at least contain them in the respective neighborhoods. As long as the cry for justice is not heard, it will be impossible to maintain law and order — unless we put aside the Constitution and initiate a police state with full martial law.

Jay A. Miller is the executive director of the Illinois Division of the American Civil Liberties Union.

VERDICT: GUILTY

Part I : *St. Louis Police Plays Politics With Law*

(Part II will be published in the next issue.)

Jules B. Gerard

Free speech and peaceable assembly are in clear and present danger of being extinguished in St. Louis.

Over the past three years, the Metropolitan Police Department has arrested more than 100 people for exercising First Amendment rights, 12 of them in the last three months.

The most recent incident occurred December 8, 1967. Vice President Hubert H. Humphrey was in the city to preside at a fundraising dinner. During the day, he visited a Head Start Program at the Centennial Christian Church. Nine people were arrested at the Church before he was due to appear. Six of them were carrying standard political signs in support of Senator Eugene J. McCarthy's campaign for president. They were walking unobtrusively on a public sidewalk across the street from the Church. Two spectators also were seized, apparently for standing too close to the sign carriers. The ninth victim was taken into custody for calling the arrests to the attention of the crowd.

No charges were filed against the nine individuals. But they were held in the Deer Street station for approximately three hours before being released.

This procedure follows a pattern devised by the Department three years ago. In early 1964, on the occasion of President Lyndon B. Johnson's first visit to St. Louis after assuming office, 87 persons were rounded up in Forest Park. The group had gathered for the purpose of marching to the Chase Hotel where Johnson was speaking. The assassination of President John Kennedy having occurred only a few months earlier, leaders of the group realized that they would not be permitted to get close to Johnson. So they planned to march as far as the police would allow and to picket at that point. They had gone less than a block when they were taken into custody, still more than a mile from the hotel. They were held at Central District station until Johnson had departed, a period of almost four hours.

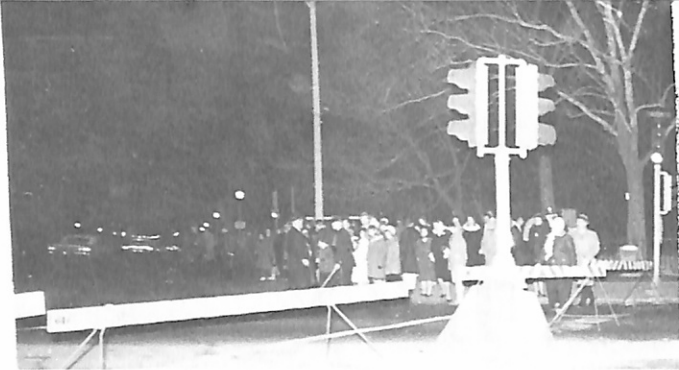
No charges were filed against them either. But they were interrogated during their unlawful detention with such questions as, "What organizations do you belong to? Are you a member of NAACP or CORE?"

The procedure of making groundless arrests without filing charges is known as "rousting." (The St. Louis Department's quaint term for it is "sausage pinch.") When employed against known hoodlums, its primary purpose is to force an individual out of a geographical area. Tired of being roused, the hoodlum will move on, the police believe, and his crimes will become the responsibility of some other department. *When used against groups, its primary purpose is to sweep the streets clean of people the police look upon as troublemakers, although its secondary purpose of intimidation is never far beneath the surface.*

The roust has important tactical advantages for the police. First, since no charges are filed, they are relieved of the necessity of proving that there were reasonable grounds to believe the person had committed a crime. Thus, the Department does not end up with egg on its face by having a case thrown out of court.

The procedure imposes onerous burdens upon the person roused for speaking. The most oppressive is that he has been deprived of his right of speech at the only time his speech could have been effective. Free speech necessarily includes the right to communicate, for speech which no one is permitted to hear is not free speech. The purpose of these two assemblies was to communicate ideas to Johnson and Humphrey. Preventing their communication while Johnson and Humphrey were present was just as effective as suppressing the ideas themselves.

The redress available to the citizen for this invasion of his rights is limited. Theoretically, he has the right to file a formal complaint of misbehavior with the Police Department; secondly, to file criminal charges with the FBI; and, thirdly, to file a suit for money damages against the offending officers. The first has become a bad joke. Exercising the second option rarely results in activity. When it does, the activity, as often as not, is an indictment against the victim for filing false charges! (Those who believe that federal and local agencies always work at cross purposes should investigate the cooperation between the FBI and local law enforcement bodies in discouraging, if not suppressing, com-



During President Johnson's visit to St. Louis in 1964, 87 persons peacefully assembled with the intention of marching as close to the President as the police would allow and then picket. A mile from the hotel, after walking only one block, they were taken into custody and held until Johnson departed. No charges were filed. The photos (top to bottom) show the assembly, the attempted march, and the arrests.

plaints of police misbehavior.) The third possibility is also illusory. Such suits are expensive, and few lawyers will undertake them without being paid in advance.

Being arrested is a frightening, humiliating experience. No doubt some victims of a roust will be intimidated. Many will take to heart the message which comes through loud and clear: keep your ideas to yourself.

QUESTIONABLE LAWS

The roust is kept alive by the existence of loosely-defined laws which creep as close to the forbidden boundaries of uncertainty as the Constitution permits. Laws, for example, prohibiting disturbance of the peace, loitering, and failing to obey the reasonable request of a police officer, have one element in common: whether or not they were violated is more a matter of opinion than it is a question of fact. For instance, whether the defendant was making noise is a question of fact, but whether he was making enough noise to unreasonably disturb the peace of the community is often a matter of opinion. The crucial opinion, of course, is the policeman's. He is given, in effect, power to make crimes on the spot.

This power of curbstone legislation shields the policeman from liability in the event a person he has roused decides to seek redress. The officer can always claim he had reasonable grounds to believe the person had committed some crime; since the question then is, not whether the person did or did not commit the crime, but whether the officer had reasonable grounds to believe he did; the protection is nearly perfect.

How this works is exemplified by events which followed the incident at the Centennial Church. The story begins with five of the nine arrested that day who were university students. They were released from jail in time to return to campus for the evening meal. Their experience became common knowledge within minutes. Students being students, the crowd which gathered that night outside the hotel where Humphrey was speaking was twice as big, and undoubtedly more belligerent, than it otherwise would have been.

Four more students were arrested at the hotel. According to witnesses, a police officer triggered one of these arrests by repeatedly calling a student, "You skinny little fuck." The officer was standing at a place pickets were not allowed. The student therefore approached the lieutenant in charge and asked for the name and badge number of the officer who had cursed him. The lieutenant commanded him to move on. When the student repeated his request instead, he was taken into custody. The charges subsequently filed against him were loitering and failing to obey the reasonable request of a police officer.

THE POLICE HEADQUARTERS INCIDENT

The arrested students were taken to police headquarters. Shortly, a crowd of between 50 and 75 persons, many of whom were married adults, gathered in the lobby. Some were faculty members who had come to arrange bail for the students. A significant part of the crowd was composed of people who had attended a rally sponsored by The Women's Strike for Peace. Mrs. Dagmar Wilson, founder of that organization, was present.

Although the Romanesque grandeur of the headquarters lobby provided an incongruous setting for it, the scene, in the beginning, resembled an impromptu coffee klatch. Mrs.

Wilson's followers had brought an electric urn and paper cups. People sipped coffee, talked quietly in clusters, and milled around waiting for the students to be released. Some, bored by the long wait, began drifting out. Over the same period, the number of policemen in the lobby was increasing steadily. Handlers of two police dogs encouraged their animals to lap water out of the public drinking fountains. Then, at a time the crowd had been led to expect the students to be released, the ranking officer suddenly announced that the assemblage was "endangering the security of the building." He ordered everyone out, under threat of arrest.

Some of the people, considering this preposterous, refused. A few "went limp," and were dragged into the Fourth District station, a complex of rooms off the lobby. A line of policemen began hustling the rest towards the front door. More arrests were made in the resulting confusion. Paul J. Taxman was seized when he attempted to get the keys to the car of a friend who had been taken into custody. In the process, Taxman was brutally beaten by four officers. His injuries included a smashed cheekbone. Police say he resisted arrest; Taxman claims he was clubbed without provocation or warning.

Altogether, 12 were taken into custody at headquarters. They were told they were being arrested for failing to obey the reasonable request of a police officer. Whether the "request" to vacate the lobby was reasonable depends upon *Adderley v. Florida*, a United States Supreme Court decision of last term. By a divided vote of 5 to 4, the Court in *Adderley* sustained the trespass convictions of demonstrators who were blocking the service entrance of a jail to protest the earlier arrests of other demonstrators who were inside.

There are obvious differences between *Adderley* and this case. These people were not trespassing; they were in the lobby of a public building designed to accommodate visitors, and had a right to be where they were. They were not blocking any entrances to the building, as were the defendants in *Adderley*, and hence were not interfering with normal operations. Nor were they demonstrating, except in the limited sense that their presence was a demonstration of sympathy. And, finally, given the large number of policemen on hand, it is hard to imagine how they could have constituted a threat to security.

Nevertheless, there are similarities also. Hence the Department's claim, that the order to vacate the lobby was reasonable, is legitimately debatable. This is enough to shield the officers from liability on account of the arrests. The warrants finally issued against the 12 charged peace disturbance. At the moment, it is not clear why the charge was changed, or how the Department hopes to prove such a case. Even an ordinance as vague as this one can be stretched only so far.

Besides permitting him to make groundless arrests with impunity, the loosely-drafted criminal statute encourages the policeman to file charges whenever he decides that a routine roust will not be sufficiently intimidating. In theory, the Department surrenders a tactical advantage when it chooses to bring charges, for it is supposed to have to justify the arrest in court. In practice, it surrenders nothing. On the contrary, extra burdens are imposed upon the victim. A model of this more burdensome variation of the roust, beginning with a grotesque instance of curbstone legislation, is the incident which occurred at the Veiled Prophet Ball last October.

THE V. P. BALL INCIDENT

Percy Green, the imaginative chairman of ACTION (Action Council to Improve Opportunities for Negroes), conceived the idea of a "shadow court" — a Black Veiled Prophet, a Black Veiled Prophet Queen, etc. Under ACTION's sponsorship, a large number of people gathered across the street from Kiel Auditorium to protest the racially discriminatory Ball. The Black Veiled Prophet, his queen, and a white minister crossed the street. As they approached the curb, the ranking police officer shouted, "That's far enough." The minister asked, "What do you want us to do?" The officer replied, "Don't march here." The three then attempted to return, but the officer stepped in front of them and announced, "You are not going back. You are going to the holdover." When asked, "On what charge?" he replied, "I will tell you later." A van was summoned, and the three were taken to jail.

Later, a newspaper reporter asked the police officer what charges he intended to lodge. His answer was, "I'll charge them with inciting to riot, or peace disturbance, or something. It doesn't make any difference." Ultimately, he selected general peace disturbance.

Bail is one additional burden imposed upon the person against whom charges have been filed. Another is an attorney's fee. He is not entitled to an appointed lawyer because the charges will only be violations of city ordinances. As the law now stands, he is entitled to an appointed lawyer only if the charge is a felony.

The Black Veiled Prophet arrests typify what usually happens. The three defendants appeared in court on the appointed day with their attorney and their witnesses. The police did not show up. After a five-hour wait, the prosecutor asked that the case be continued for six weeks. The motion was granted, over the vociferous protests of the defendants.

In the customary case, the victim by now will have paid for a bond and an attorney, and will have spent one working day away from his job. But nothing will have been resolved, as the charges will still be pending. If the defendant is good between this point and the next court setting, the Department will quietly drop the charges, thereby escaping the need to justify the arrests. On January 23, the charges against the three arrested at the Veiled Prophet Ball were withdrawn for insufficient evidence.

Between the arrest and the ultimate disposition of the case, the defendants live under a palpable threat. If they happen to displease the Department — as, for example, by publicly objecting to what has happened to them — the Department can force them to trial. At the least, this will increase their attorney's fee, and cost them another day's work. The Black Veiled Prophet defendants lived under such a threat for more than three months. Further, police court justice being as uncertain as it is, a conviction is not inconceivable, even in the case of a pure roust.

(EDITOR'S NOTE: Readers of FOCUS/Midwest will remember the Bus boycott case where the St. Louis Police issued many hundreds of tickets to volunteer car drivers for failure to possess a service car license and insurance liability sticker. These 1,392 tickets were kept on the docket for many months. When the principals ceased their agitation and agreed to a settlement, the charges were dismissed. Ironically, many of the ticketed drivers considered the city counselor's action a victory when, in effect, it represented a club to enforce a settlement.)

Since the officer is personally shielded from liability by the ambiguity of the laws he is purporting to enforce, the

only possible detriment the Department can suffer by having an improper charge thrown out is adverse publicity. This is not an effective deterrent to the Department forcing a case to trial *solely* for purposes of harassment. Arrests inevitably are reported under large headlines on the front pages. But dismissals are carried, if at all, under minute headlines in the middle pages. TV stations report arrests on every local news program the day they become known. Sometimes they even carry films of the arrests, or of interviews with the arresting officers. Dismissals are seldom mentioned.

UNCONSTITUTIONAL ARRESTS

In summary, 28 people have been arrested in recent months for exercising what they believed to be their First Amendment rights. No charges were ever filed against 10 of them, and those filed against 3 others were later withdrawn. Of the remaining 15 arrests, that of the student seized at the hotel was of dubious legality. The 12 which occurred at police headquarters may or may not have been constitutional; but it is certain in either event that they showed the Department's callous indifference to the need of First Amendment freedoms for breathing space. Only 2 of the 28 arrests, then, were free of constitutional doubt. And 12 of them — 2 at the Veiled Prophet Ball, and 9 at the Centennial Church — were clearly unlawful under *any* view of the Constitution.

That St. Louis should present such a discouraging picture is surprising. It has not been racked with the violence of Watts, Newark, and Detroit. Compared to other cities with large university populations, its peace demonstrations have been well-tempered and orderly. So there can be no claim that the Department's unlawful activities resulted from over-reaction to dangerous situations. In addition, the Department's "community relations" program enjoys the reputation of being one of the finest in the country.

Instead of guaranteeing some measure of protection to First Amendment freedoms, both of these facts, ironically, contribute to their current perilous state. A determination to prevent riots in St. Louis leads the Department into taking increasingly precipitous action every time more than two people congregate. And the reputation of its community relations program is used to fend off complaints about such behavior, assuring that nothing will be done about it.

THE RIOT CONTROL PROGRAM

The Department's riot control plan was not thrown together casually. It was hammered out after long seminars devoted to studying the actions taken by the police in cities where riots have occurred. Those actions were observed at first hand by a team of officers dispatched as soon as the riots began. The first two steps in the plan are (1) make a prompt show of force, and (2) get the leaders and get them early. Although the Department, when pressed, will qualify step (2) with "if they violate some law," in practice it appears that "leaders" will be seized the moment the Department decides to break up an assembly, whether or not any crime has been committed. The Black Veiled Prophet arrests are one example.

The principal objective of the riot control plan is to prevent a major disorder from developing out of a threatening situation, and to limit the size of the disorder if one develops. One might be more optimistic about this plan if, inside the Department, there were some discussion of the

question, *Leaders of what?* For implicit in current discussion, and manifest in the developments of recent months, is the belief that the "leaders" who must be "gotten" are those who are attempting to organize dissent and discontent into an effective political force, rather than those (if there are any) whose objective is criminal activity. As a matter of fact, one would feel more optimistic if the Department showed better comprehension of the difference between a First Amendment freedom and a crime, between a demonstration and a riot.

Exactly this inability to draw obvious distinctions probably caused the 12 arrests at police headquarters. A source close to the Board of Police Commissioners has reported that the Department was following step one of its riot prevention plan that night. It was said that the dogs were present, the number of officers was increased, and the lobby was cleared, as a "prompt show of force." *But no one seems to have asked whether a riot was imminent, or even possible.* It seems to have been sufficient that a number of people had assembled there. Nor does it seem to have been considered relevant that they had gathered for different reasons, the only common one being to await the release of the students. Nor does it seem to have been acknowledged that siccing police dogs on peaceful citizens is more likely to cause a riot than prevent one.

For one thing is clear from the disorders of the past few years. Hostility towards police played a significant, if not the major, role in fanning the spark of a routine incident into the flame of a riot. Contrary to the currently fashionable belief, this was not the remote hostility engendered because the policeman is the visible representative of society thought to be oppressive. It is the direct hostility born of experience, the experience of previous unsatisfactory contacts with police officers. *Contrary to the fashionable analysis, police are not being hit by missiles thrown at another target, the intolerable conditions tolerated by an indifferent society; they are being hit because they are being aimed at.*

THE COMMUNITY RELATIONS PROGRAM

Ameliorating this kind of direct hostility is the primary purpose of the community relations program. In its preventive aspect, this program attempts to create a favorable image of the policeman both by implanting such an image in the minds of those without preconceptions, and by changing the minds of those who hold unfavorable pictures. The success of the former depends upon reaching enough of the right people. The success of the latter depends upon convincing the citizen with real or imagined grievances that the Department is making a sincere effort to deal with them. Sincerity is also the keynote to success in the pathological aspect of community relations, that which deals with instances of misbehavior once they have occurred.

The reputation of St. Louis' program is built almost entirely upon preventive community relations. That its reputation is impressive cannot be doubted. Michigan State University praised it as "one of the first in the country and one of the most extensive." Inside the closed society of "the thin blue line," other departments have studied and imitated the program, San Francisco among them. Such is its prestige that when the Department conducted a three-day workshop on community relations in January without appreciable advance publicity, delegates attended from



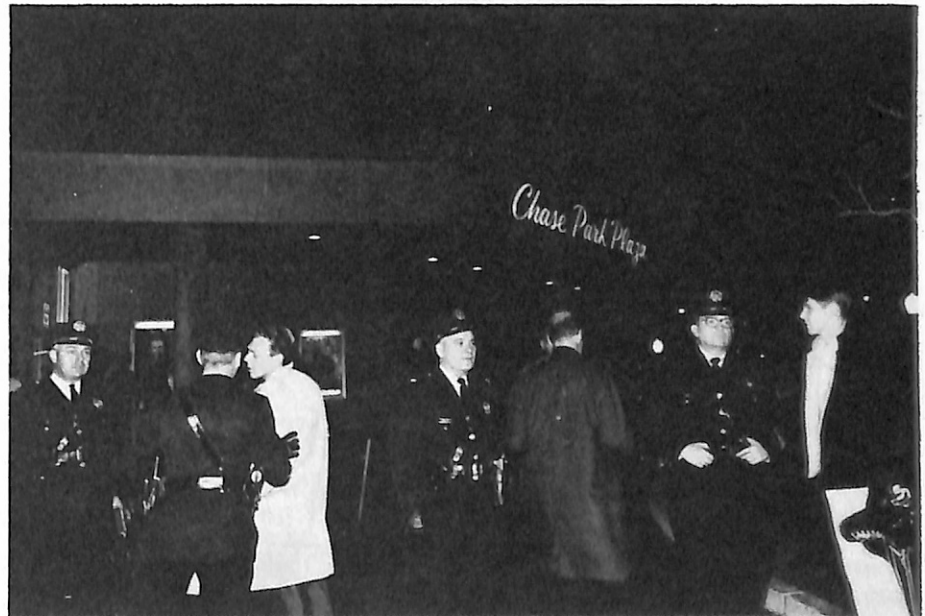
Chief of Police Curtis Brostron



Shown at the Deer street storefront Center are (left to right) Capt. Thomas Brooks, commander of the Deer street district; B. W. Goodwin, Jr., chairman of the districts police-community relations committee and Robert Beattie, district police-community relations officer. Capt. Brooks was the officer in charge in the Centennial Church incident (see article).



Edward L. Dowd (above), former president of the Police Board who has been succeeded by I. A. Long



Following the December 8th Centennial Church incident, many distinguished St. Louisans formed an Ad Hoc Committee to Insure Constitutional Rights. When U.S. Attorney General Ramsey Clark addressed representatives of more than 50 police departments a month later, 200 persons from this Committee picketed the hotel (above) where the meeting took place and tried unsuccessfully to present Clark with a statement on the St. Louis police. Meanwhile, it has come to the attention of FOCUS/Midwest that the St. Louis police are intimidating the Ad Hoc Committee by interrogating associates, colleagues, and acquaintances of its members.

41 cities all over the country, and Attorney General Ramsey Clark interrupted his schedule to make the convocation address.

The grassroots of the St. Louis program are its district (precinct) committees. The word "committee" is something of a misnomer, for there is no city-wide organization. The district committees operate independently, under the guidance, but not necessarily the control, of a civilian employee of the Department, who is given the title of Director of Police Community Relations. Each committee is divided into a formidable array of subcommittees, such as Businessmen's, Juvenile, Sanitation, etc. These subcommittees perform a variety of valuable tasks, even if one assumes the normal amount of slippage between objective and achievement which is common among volunteer groups. The Businessmen's Subcommittee, for example, arranges for detectives to inspect premises for the purpose of recommending safeguards that might be taken against burglaries. The Juvenile Subcommittee solicits residents to act as "block watchers" — people who watch the streets while children are going to and from school. It also arranges "cruiser tours" for high school students; students spend an evening riding in unmarked cars answering calls, thus getting a first-hand picture of the life of a patrolman.

Although this sampling is totally inadequate to convey the range of activities pursued, it does accurately reflect their tenor, which is wholly preventive. They are aimed at promoting understanding of policemen. Some of them are also designed to prove that the policeman recognizes the problems society creates for the individual, and that he is an ally in efforts to solve them. Valuable as these programs are, they do not touch the citizens' grievances against the police themselves. And a few of them smack of the Madison Avenue practice of selling the same old product in a glossy new package. In his address opening the workshop in January, Attorney General Clark warned that "police community relations has nothing to do with public relations." The available evidence tends to show that merely preventive efforts will fail to mitigate hostility towards police, at least in the short run.

The point was emphasized graphically by two speakers at the workshop. Detroit Police Inspector Carl Heffernan described a program which had been modeled upon St. Louis', and remarked ruefully that it had failed to prevent riots. Newark Police Captain Edward Williams, a Negro, told of attending district committee meetings in that city for a year prior to last summer. Arriving at a station which was under siege after the riots began, Williams said he had hoped to stop the disorder by talking to people he had met through the community relations program. "I looked into that crowd and didn't recognize anyone. I had not touched the real rioters. They are not coming to any meeting. You've got to go out and find them." Whether St. Louis will heed these warnings remains to be seen.

There are a few hopeful signs. The Department opened four "storefront centers" in high crime areas last year. Each center is staffed by a policeman whose job it is to get to know the members of the community. The centers are used as meeting places by local residents. Their most important function, however, is to give policemen a base where residents can come to make complaints and discuss problems outside the unwelcome atmosphere of the district station.

Membership on the committees is now open to all residents of a district instead of being confined to people the

Department considers "responsible." This change was made after two years of badgering by the Executive Committee of the St. Louis Council on Police Community Relations. The Executive Committee is an unofficial group of citizens drawn from throughout the community. Since its founding in 1955, its chairman has been Virgil Border, local director of the National Conference of Christians and Jews. Over the years, the Executive Committee has suggested much of what now is the community relations program. Sensitivity training of police officers in human relations is one of its more recent accomplishments. Such training is now given all police cadets, and is a required part of the in-service training of all officers.

The Executive Committee meets regularly with the Board of Police Commissioners and Chief of Police Curtis Brostron. Although it was not designed that way, the Committee does in fact comprise at least one representative of every major civil rights organization in the city. Half its members are Negroes. It is probably true, therefore, as Mayor Alfonso J. Cervantes said while testifying before the President's National Advisory Committee on Civil Disorders, that "lines of communication are open every day, in many, many ways."

DEEDS COUNT, NOT WORDS

But are open lines of communication enough? Hostility towards policemen is largely the result of experience. These experiences can be classified in terms of whether the person was subjected to police contact lawfully or unlawfully, and whether he was treated reasonably or abusively. The preventive aspect of community relations has relatively slight impact in this area. Academy training teaches policemen when an arrest is lawful. But a roust does not result from ignorance; rather it follows from an officer's deliberate decision to violate a person's rights for reasons which seem to him sufficient at the time. Sensitivity training can teach an officer the kinds of insults most deeply resented by Negroes, but it cannot force him to be polite. When prevention fails, is it enough to give the citizen a place to complain?

For some people, the willingness of the Department to listen to complaints of misbehavior will be proof enough that it is sincerely interested in bettering community relations. But a growing number insist that action be taken against offending officers. They will be convinced by deeds, not by words. Newark Police Captain Williams made it frighteningly, but unmistakably clear: "The platitudes don't stop them any more. They say, 'I'm tired of waiting. I think I'll throw a few bricks.'"

Reluctance to tamper with the pathology of community relations also disregards two phenomena which have been noted in every riot. One is the refusal of the law abiding to cooperate with the police. The opportunity to ventilate their grievances may keep some people off the streets. But it will not convince them that the sincerity of the Department is strong enough to merit their cooperation. The other is the "rumor phenomenon." Every major riot has been aggravated, at one point or another, by a false rumor of police brutality. These rumors were effective precisely because they spread through communities where experience made them credible. People are not going to stop believing such rumors as long as they continue to encounter unlawful, abusive police behavior.

In St. Louis, one difficulty lies in convincing the Board

of Police Commissioners that a problem exists. The citizen who urges the Board to take some action aimed at countering hostility is likely to be handed in reply a scrapbook full of laudatory newspaper clippings; and it will be pointed out that the absolute number of officially filed citizen complaints is small. Past efforts to prove that this is because people are afraid they will be harassed if they file complaints, and because they believe it would do no good anyway, have not, in the Board's opinion, been convincing.

Another difficulty is caused by one of the most persistent myths in law enforcement. It holds that a police officer cannot be effective if the community believes he is capable of making a mistake; like the Pope, he must be infallible. The Board generally refuses to acknowledge publicly that police ever make a mistake.

THE CENTENNIAL CHURCH INCIDENT

Consider the Department's response to the nine arrests at the Centennial Church. Shortly after the people were taken into custody, an onlooker called a number of faculty members at the university to inform them of the arrests. One faculty member went immediately to the station, arriving approximately 30 minutes after the students. Upon inquiring why the students were being held, he was told, "For investigation." When he asked, "Investigation of what?" he was told to sit down and shut up. During the next half hour, further inquiries concerning the charge resulted in his being referred to three other officers, none of whom would answer his question. Finally the district commander, a captain, appeared. The faculty member asked him. The commander conferred privately with a lieutenant and some other officers, told the man to "wait here," and drove off with the lieutenant. Returning in less than half an hour, the captain told the faculty member that the students had been arrested for disturbing the peace on the complaint of the Rev. S. W. Hylton, Jr., pastor of the Centennial Church. The police then gave "courtesy summonses" to those arrested, and released them, after a minor delay.

A courtesy summons looks like a traffic ticket, but is really a substitute for booking. It states the crime the officer claims was committed, but is not a formal charge. To make it a formal charge, the policeman must procure a warrant from the City Counsellor. In this case, as was noted earlier, the police did not even request warrants.

The delay came about when some of the students balked at giving their addresses to the policemen filling out the summonses. The students believed they were not obliged to give this information. The police believed they were not obliged to release the students until all the blanks on the forms were filled in. The impasse was resolved when the faculty member advised the students to give the requested information. The significance of this episode will become apparent below.

In the meantime, another faculty member had been on the telephone since learning of the arrests. He first called the district station, asking for the commander. Informed the commander was not in, he asked for the officer in charge, and got the desk sergeant. The sergeant confirmed that students were in custody. Asked on what charge, the sergeant replied, "I don't know. They were arrested on the orders of the Intelligence Unit." The professor then asked to speak to someone from the Intelligence Unit. He was told they were all at the Centennial Church. He then asked

whether the students were going to be booked, and if so, when. The sergeant replied, "I don't know. My orders are to hold them until the Intelligence Unit gets back here."

Wholly dissatisfied with this answer, the faculty member called a highly-placed friend in police headquarters. The friend said, "Our Intelligence Unit works closely with the Secret Service. What probably happened is the Secret Service told our men that Humphrey didn't want to see any demonstrators." When the faculty member vehemently protested that the Secret Service had no more authority to violate the constitution than anyone else, his friend replied that he would check into the matter and call back. The return call came two hours later, at about the same time the students were being released. The friend reported the students had been arrested on complaint of the minister.

On December 12, the following Tuesday, *Student Life*, the campus newspaper, carried a front page story which read in part:

"The St. Louis Police Department claimed it had acted on the phone call complaint of S. W. Hylton, pastor of the church . . . Pastor Hylton denied calling police in an interview . . . last Saturday, December 9. 'I was inside the building and did not see the people,' Pastor Hylton said. He added that the police had not contacted him about the matter."

Norm Pressman, the student whose byline appeared on this story, affirmed that he had talked to the Reverend Hylton, and that Hylton was quoted accurately. Asked in early January to comment on the conflict between the police report and the student story, Hylton said, "I do not wish to make any further statement on the matter because I understand the matter may become the subject of a lawsuit. If asked the question on the stand, I will answer it."

In late December, the St. Louis Civil Liberties Committee, the local affiliate of the A.C.L.U., held a press conference in which it condemned the "unconstitutional abuses of the Metropolitan Police Department," citing the incidents discussed here as examples. The Department's response to this criticism was a series of three statements. In the first, Edward L. Dowd, president of the Board of Police Commissioners, was reported on television to have said, "The students were arrested on the complaint of the minister, who was afraid they might create a disturbance." But since fear of what a person might do would not pass constitutional muster, a revision was not long in coming. The revised version, issued later in the day, was that the persons had been arrested on the minister's complaint that they were disturbing the peace. But that was no good either, since, even if there is a complaint, a policeman is not entitled to make an arrest if he can see with his own eyes that no law has been violated. Hence, another modification was required. The Official Truth, Third Edition, now is that the persons were taken into custody solely because they refused to give their addresses *while at the Church*, and thus prevented the officer from completing the blanks in the summonses, which he felt obliged to give in order to placate the minister. By such *ex post facto* corrections is the infallibility of police officers publicly maintained.

Following the events of December 8, a group of citizens, calling itself The Ad Hoc Committee to Insure Constitutional Rights, organized to support the 25 individuals who had been arrested. The defense fund established by the Ad Hoc Committee included on its board of trustees such people as James F. Hornback, the leader of the Ethical



The Veiled Prophet Ball, Parade, and other festivities is an annual, segregated society event held with the semi-official blessings of city hall and the police. At the last Ball, a "Black Veiled Prophet" (Precious Barnes, above) and his "Queen of Human Justice" (Mrs. Esther Davis, right of Barnes) appeared in the company of Rev. Walter W. Witte (partially hidden, right of Mrs. Davis) and attempted to partake in the festivities held at the city-owned Kiel Auditorium. They were arrested.



Major Walter Eitzman's (left) statement on riots is typical of St. Louis police officer thinking: "Get the leaders first and get them quick and deal with them severely." Eitzman was in charge of the unit that handled civil rights demonstrations in the Jefferson Bank affair. At one time Eitzman was dismissed for inefficiency but he was later reinstated.

Society; William Kahn, executive director of the Jewish Community Centers Association; Jack L. Pierson, local president of Americans for Democratic Action; and Harold Gibbons, president of Teamsters Union Joint Council 13.

After the routine press conference to announce its formation, the Committee sponsored an open meeting. The meeting was timed to coincide with the banquet commencing the Department's workshop on police-community relations. About 200 people attended in sub-zero weather to voice approval of a series of resolutions. One called upon the Police Commissioners to accept financial responsibility for the medical expenses of the person who was beaten in the lobby of police headquarters. Another demanded that all charges pending against those arrested that day be dismissed. Still another called upon Attorney General Clark "to take such action as is necessary to insure that local police officials will not be subject to pressures by federal police agencies, such as the Secret Service or FBI, that may encourage exaggerated or brutal reactions by these local officials during the visits of national figures."

After the meeting ended, a delegation of the Ad Hoc Committee attempted to present this resolution to Clark personally. Management personnel at the banquet turned them away. Delegations reduced to five people, and finally to a single individual, were also rebuffed.

One of the Ad Hoc Committee's resolutions asked for a public investigation of the arrests. Ever since cries of "police brutality" at the scene of an arrest led to the bombardment of a district station in late 1964, and the shooting of an unarmed burglary suspect precipitated a series of demonstrations in July 1965, the St. Louis Council on Police Community Relations and the St. Louis Civil Liberties Committee also have been apprehensive that the standard investigation of such incidents would prove ineffective to ward off serious violence.

The two groups had different anxieties. The Council's concern was the need to publish a thorough investigation speedily. The Civil Liberties Committee's concern was the need that the investigation be credible to the community. Neither group, however, has succeeded in securing the adoption of any major change. At the most critical stage in the pathology of community relations — where a citizen has been seriously wounded or killed, allegedly by police misbehavior — the Board of Police Commissioners apparently remains unconvinced that there is a serious problem. It seems doubtful that the Ad Hoc Committee's resolution will persuade it.

At some other time, the outlook for the preservation of First Amendment freedoms under these conditions would only be distressing. In this election year, it is positively grim.

The overriding issues in the coming election will be the war in Vietnam and the drive for meaningful racial equality. Historically, demonstrations are an inevitable part of all election campaigns. In the past few years, opponents of the war and supporters of civil rights, by and large, have become convinced that the most effective way they have of wielding political power lies in demonstrations.

At the same time, when more demonstrations can be expected, the police are reacting with increasing intolerance to groups in the streets. The groups are biracial, for opposition to the war and support of civil rights have fused into a single cause in the minds of many, in St. Louis

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Problem Areas in the Arts

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as elsewhere. This increases the likelihood that the police will view any political demonstration as a potential race riot. *It also means that significant portions of the white middle-class community are experiencing lawless police tactics for the first time. They are being roused in "an early show of force." They are being arrested instead of the brick throwers because they are some of "the leaders who must be gotten early." Hostility towards police grounded in personal experience is, thus, spreading to parts of the community where it never existed.*

The Police Department's inadequate response to these developments has been two-pronged. On the one hand, it has developed worthwhile programs to train its officers in human relations, and to devise means to help citizens adjust to the cruelties of the urban environment. But, outside the area of preventive community relations, it has steadfastly refused to come to grips with the citizens' legitimate grievances about the misbehavior of its own few bigots and bullies.

On the other hand, its standard response to all criticism is a lamentation about the supposed widespread disrespect for law and order. The lamentation is usually supported with statistics showing the number of policemen killed in the line of duty, as though being shot by an armed robber justifies suppressing the peaceful citizen's right of free speech. It may be that disrespect for law and order is engendered in the disadvantaged by laws which favor the more powerful; but it seems equally probable that disrespect for law is the inevitable lesson learned by people whose rights are trampled by policemen whose duty should be to protect them.

Perhaps Mayor Cervantes is correct in believing that St. Louisans will be satisfied with open channels of communication. Perhaps the Board of Police Commissioners is correct in believing that the problem can be resolved by the established practices which have worked in the past. Perhaps the police are correct in believing that the situation can be controlled by a deft combination of suppression and public relations.

But if they are not . . . ?

Jules B. Gerard is professor of law at Washington University (St. Louis). He has previously appeared in FOCUS/Midwest and has been published in numerous legal periodicals. He is a member of the executive board of the St. Louis Police Community Relations Council.

The Bailey Case:

A LANDMARK IN

KANSAS CITY

POLICE-COMMUNITY RELATIONS

A Staff Report

Verdict: On Parole

TIME BOMB IN NEW

KANSAS CITY

POLICE BOARD RULES

Sidney L. Willens

Two years after receiving a beating by Kansas City (Mo.) police, Claude Bailey still suffers from pains of the back and the right wrist and still receives treatments on doctor's orders. Yet, the police board still refuses to waive immunity and pay damages on the ground that it would be setting a "dangerous precedent."

Mr. Bailey's arrest two years ago and the subsequent beatings caused him a permanent scar on the forehead and the knee, and a permanently swollen wrist and certain muscle weakness; it resulted in five days in the hospital, loss of wages due to hours of questioning, hospitalization, and injuries; it submitted him to one hour of questioning by inspection officers on the morning of the beating while in a dazed condition when he was taken from the General Hospital to police headquarters, two hours of questioning in the police chief's office, fifteen hours of questioning at various other times, sixteen hours of formal board hearings, four hours in municipal court; and other embarrassments, including crank phone calls, and an unauthorized stop by police officers.

While one policeman has been fired and another suspended in this case, the police board refuses to offer restitution to the victim. It could set a "precedent."

As of this writing, not even the unfounded charges against the victim have been dropped by the city. (The discharged officer also has appealed his discharge to the circuit court of Jackson County. No decision has been rendered.) Although the police department declares that it doesn't care if the charges are dropped, the victim and his attorney, Sidney L. Willens, can get no action from the city.

Just over two years ago, the Board of Police Commissioners of Kansas City, Missouri, fired a policeman accused of brutality in making a speeding arrest. A second officer involved in the incident was suspended 15 days. After a 16-hour formal hearing the Board imposed this punishment despite a previous decision by the police Inspection Bureau to exonerate the two officers.

The Board's action was swiftly condemned by many who saw it as an attack against the whole police department by the five-man civilian board. When the dust settled, a feeling of pride swept the community and more particularly the long-tormented minority groups who saw for the first time that the police department had the regenerative power to correct itself.

But the dramatic episode unfortunately triggered an over-reaction at police headquarters. On March 15, 1966, the police department announced it had "accepted" a "survey proposal" recommended by a public administration team from Chicago. Soon after, the department issued a press release proclaiming an "administrative shift." The Inspection Bureau was abolished and called "inept." An Internal Affairs Unit with similar duties was created under a new command.

In line with the shift the police created a Board of Inquiry and Recommendation to hear public complaints of police misconduct. While the citizen can go directly to the Board of Police Commissioners, he is urged to try the Board of Inquiry first. Under the procedures of this Board of Inquiry an accused officer is allowed "assistance" and is not required to testify while the citizen is denied help (i.e. no lawyer) and must, of course, testify in order to lodge his complaint. This overturns previous policies and would not have per-

Originally, the victim was fined \$10 by a police judge for resisting arrest, but he was discharged for careless driving. The city and the victim appealed. On April 1, 1966, more than 18 months ago, one witness was heard in the Circuit Court. He was a St. Louis polygraph operator who was brought to Kansas City for the police court hearing at Bailey's expense (he was originally hired by the police department). The operator testified in Circuit Court that "possible bad judgment on the part of the officer" triggered the arrest incident. In spite of this damaging evidence, the city still refuses to dismiss the charges because "the police department is still interested in the matter."

Although the Bailey case has deeply affected police behavior and the case has not been forgotten in Kansas City, a look back at the actual injuries is appropriate in view of the police department's unwillingness to compensate the victim and in view of the new procedures (see Mr. Willens' article) which, if in force at the time, would have thwarted the investigation and kept the guilty officer on the force.

On His Way to Work

Bailey, the victim, was stopped at 4 a.m. on his way to work by Police Officers Patrick Halloran and Jan Elkins who asked for his driver's license. While Bailey talked to Officer Halloran, Elkins began to search the car. Bailey complained about the search and when he turned to look inside the car to see what Elkins was doing, Halloran grabbed him. Officer Elkins thought Halloran was in difficulty, he rushed from the car, hitting Bailey with a lead slap-

per. A scuffle ensued when Bailey tried to defend himself. The officers drew their revolvers and Bailey was handcuffed. Officer Halloran kept hitting Bailey with a nightstick until he fell to the ground, after which he continued the beating. Officer Elkins shied away from the beating by moving a few feet away. Enroute to the police station, Halloran, who was driving, continued to beat Bailey seated in the back seat. Officer Elkins, sitting beside Bailey, pushed Bailey's knees down to the floor when the victim raised his knees to shield his body. Halloran continued to push and shove Bailey at the rear of the police station, stopping only when fellow officers arrived.

During the investigation, an "eye witness" (who was a friend of the officers) insisted the altercation occurred in the middle of the intersection of 47th and Harrison, the same location given by the officers. Bailey insisted to his attorney that he was beaten up at 47th and Campbell, 300 feet away. Willens couldn't understand why anyone would lie about the location. So he canvassed apartment buildings at the Campbell location and came up with four eye witnesses. While at 47th and Campbell is a row of apartments whose windows are in clear view of the street, the 47th and Harrison location is near a building which is unoccupied at night and near houses hidden by shrubbery.

Willens later questioned the officers in the police chief's office where Halloran broke down and admitted, "I thought possibly I was wrong. My biggest fear is that I lost my head." When pressed further he said, "Maybe I didn't stop beating him immediately after he was handcuffed." He added that he hadn't slept nights since the incident.

mitted the exposure of the two convicted officers.

The new Board of Inquiry and Recommendation consists of five police officers and the police chief who can replace himself by selecting a "designated representative." The Board investigates complaints by calling all parties to testify and recommending either exoneration or disciplinary action to the police chief, who makes the final decision.

"The Board," a police official said two years ago, "is designed to safeguard the officer's rights and should not be construed as strictly a disciplinary or punitive Board." In fact, its primary function may turn out to be "protection" rather than "investigation."

The new rules stipulate that the hearings are held in private with the complainant. The officer in question and witnesses are questioned separately. Only participants appear. No record of testimony is kept. While the complainant must present his case first, the accused officer is *not* required to testify and he is "urged" to choose a fellow officer to assist him. The Board's recommendations are subject to the police chief's approval.

The citizen, unlike the accused officer, is given no right to "assistance." Since the hearing is restricted solely to participants, the complainant is without legal counsel and is forced to face eight police officers in a "closed hearing" and is required to repeat his charges. (He has already leveled them once before when he stormed into police headquarters to lodge his initial complaint.) Throughout all this, the officer is allowed to remain silent.

This writer contacted in writing and made several telephone calls to the police department suggesting that the citizen be allowed to obtain "assistance" and that the accused officer be asked to give his version of the story at

the "hearing." All were in vain.

One official kindly admonished me, "The Inquiry Board simply isn't being used the way you are looking at it."

"But don't the procedures say what I say they say?" I asked.

"Yes, but they haven't been used that way," he replied. I reminded the official that in the Bailey case we were allowed to talk to the accused officer. Under the new rules the case could not have been justly resolved. I received no answer.

The police department is paying serious attention to its community relations. Recruits are exposed to a minimum of 46 hours of human relations instruction. The Department advertises weekly for recruits in the city's Negro paper, *The Call*, but few persons apply and still fewer qualify under an honest examination. Of the 937 policemen in Kansas City, only 51 (5.4%) are Negro.

Very recently, the police department rented two inner-city storefront locations for the purpose of easing citizen access to police. The rooms will be manned by police personnel who will accept minor reports and will supply information. The stores will not be considered stations.

Brutality cases have not completely disappeared in Kansas City but this writer believes they are at an all-time low. Ten police officers have either been dismissed or forced to resign in the last two years. Thirteen have received suspensions and 19 have received official letters of reprimand from the police chief. Unfortunately, however, the police board has not seen fit to consult with the Governor's Advisory Committee on Human Relations since the brutality case, although efforts have been made by the Committee to restore communications with the police board.

Halloran was not hospitalized, had not sustained any physical injuries, nor had he even seen a doctor.

CITIZEN'S CHARGE HAS UPHILL BATTLE

The Bailey case constitutes powerful evidence that in Kansas City, or for that matter in every large city in the United States, a people's watchdog ought to be available to act as protector and spokesman for the wronged citizen. He is needed now at Kansas City police headquarters where the internal investigatory body has assumed the task of "protecting" the accused police officers first and only secondarily of determining the rightness of a citizen's charge. Citizens must not have to depend on the energy and goodwill of a Mr. Willens. The corrective power must lie within the system.

Many foreign countries now have an independent, outside source — generally called an ombudsman — who can check on public administrators, including the police.

An ombudsman is an individual who, on receiving a complaint from a citizen alleging government abuse, will investigate and intervene on behalf of the citizen with the concerned authority. If the ombudsman finds the complaint well founded but the public official refuses to remedy the situation, the ombudsman is authorized to report the abuse directly and publicly to the legislative body which created his office. With the glare of publicity upon the public officials, the citizen may then receive a just and fair settlement of his complaint. The ombudsman does not single out the police department for special treatment but acts as public grievance commissioner who handles com-

plaints of mistreatment at the hands of all public administrative agencies.

In his final comments before the police board, Willens summarized the rights of citizens and the responsibilities of the police. "The Board is the only agency of our local government," he declared, "entrusted by law to safeguard individual rights of citizens against police officers. It is the sole watchdog of those liberties and provides the only checks and balances in the case of police administration. In the last three months I have learned the lack of procedural safeguards for the individual and how difficult it is to fight this kind of battle alone against unlimited manpower and investigative talent who are in control the moment notice is given that an act of brutality may have occurred. I have no basic distrust of our police department for I fear not so much what it has done but what it could do to the liberties of little and obscure people if officers who commit acts of brutality go unpunished and remain policemen."

Efforts are now being made in many states, including Missouri and Illinois, to establish such an office. Without such an office, as Mr. Willens warns in the following article, the rights of the citizen can easily be overruled by a police department fortified by rules which will protect the culpable policeman while suppressing the accusation of a mistreated citizen. ■

Most complainants are Negroes and a few are Mexicans. Brutality charges are hard to define; they cover everything from a slur to a severe beating. Many of the victims have police records and many do resist arrest. But as a whole, the average policeman hasn't forgotten the Bailey case; nor have the police inspectors. *But this atmosphere of goodwill may be abruptly terminated by a future incident.* It doesn't have to be, if the police department begins to view complainants as an aid (as did the police in the Bailey case) rather than as an adversary proceeding against a defendant policeman (as do the new rules of the Board of Inquiry).

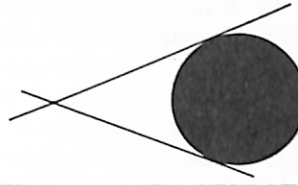
Neither the police, the citizen, nor the community gains by the adversary approach. The police have enough to worry about without seeking to cover up for a nasty and incorrigible patrolman whose offense will no doubt be repeated to cause them even more trouble in the future. And the citizen shouldn't have to worry about an investigation of his complaint which eventually and perceptibly becomes aimed at him instead of the accused officer when conflicting testimonies emerge. By the time all the interviews, written statements, and hearings were completed, even the most determined complainant and witnesses begin to wonder whether the ordeal had been worth the effort.

The community is the loser too. Patrolmen are hard to come by. If the citizen wins a "victory" by the dismissal of the accused officer, the glare of the unfortunate publicity on the police department damages police morale and dwindles the already small supply of police recruits. Even a victorious citizen is not compensated for his injuries. He must be satisfied with seeing the accused officer fired. The doctrine of sovereign immunity blocks him from filing a lawsuit. Federal law allows a victim of police brutality to go into

Federal court and sue the officer personally. But an uncollectible judgment against an individual officer (who usually has no assets to attach) is hardly worth fighting for.

The citizen, the accused officer, and the police department should all look at a complaint in a different light. Essentially, it should be designed to bring to the police department's attention a problem deserving to be investigated not so much for imposing punishment upon a miscreant as for the purpose of tightening supervision. If the citizen's injuries are severe and the officer is clearly wrong (as was demonstrated prior to the public hearing in the Bailey case), the chief of police should unhesitatingly fire the officer quickly or ask him to resign. This will stop a public hearing usually and keep the spotlight on the monumental and creative tasks performed by the policeman. ■

Sidney Willens received an LL.B degree from the University of Missouri at Kansas City in 1950. From 1950 to 1953, he was chief attorney for the Department of Liquor Control for the City of Kansas City, Missouri. During World War II he was editor of the Daily Pacifican, army newspaper of the Western Pacific. In 1966, he received the first Patrick Murphy Malin award, presented by the Greater Kansas City Civil Liberties Union for his outstanding contribution to the cause of civil liberties. He is also the author of two ombudsman bills which were introduced in the last session of the Missouri legislature. Willens is a member of the Kansas City law firm of Tucker, Charno, Willens, Jours and Tucker.



Illinois Police Report

East St. Louis Police Chief Target of Complaints

East St. Louis is a bitter community. While the deeper causes are inherent in the economic and political conditions of the community, the current tension has been precipitated by Russell T. Beebe, Commissioner of the Police Department. Community groups have petitioned the City Council to remove Beebe, but Mayor Alvin G. Fields rejected this request because Beebe was an elected official. The Mayor also turned down requests for a citizen police review board.

The latest action which incensed the East St. Louis community, particularly minority groups, was Beebe's order to the police to shoot on sight anyone seen throwing a fire bomb and ask questions later. This order was strongly criticized by all East St. Louis newspapers.

The Police Department has also been criticized for losing a \$15,000 grant from the U.S. Justice Department for the training of police community relations grassroots workers, because of Commissioner Beebe's insistence that the Police Department rather than the human relations commission or some other community agency retain the supervision.

The Negro community is pressuring the City Council and Police Department for a police community relations program in view of several clear incidents of racist behavior by the police.

East St. Louis has a population of 80,000 and estimates of the Negro community run as high as 60 per cent.

The political structure of the city is totally controlled by Mayor Fields.

At presstime, Commissioner Beebe announced the formation of a committee of eight police officers to develop better cooperation between police and teenagers. As far as is known, no civilians are on the committee. The police also plan to contact businessmen to seek jobs for teenagers.

Verdict: Guilty

Freeport Maintains Dual System of Law

The principal complaint of Negroes, who represent 10 per cent of the city's 30,000 residents, is the lack of law enforcement within the Negro community. Whites committing crimes against whites and Negroes committing crimes against whites are forcefully prosecuted.

Cairo Residents Arming for Summer

Cairo residents, white and black, are arming and in view of the utter intransigence of the city administration, the brutality of its Police Department, and the fear of moderate citizens to speak out, a violent clash this summer, or earlier, threatens the community.

Negro homes are illegally entered and persons are illegally arrested. Individuals have been charged with crimes when no evidence existed to support such charges. Those arrested are held incommunicado beyond the permissible period of time. The right of posting immediate bond is often denied. Beatings by police without provocation have taken place.

Black youngsters have been picked up, detained, and questioned at the police station without legal counsel or the knowledge of their parents. Minors have been forced to sign confessions. In one case, the police invaded a high school and arrested 26 boys, took them to the police station for fingerprinting and to have them photographed, following a white lady's complaint.

Frequently, the police may arrest 50 or more Negroes following a complaint. A Negro's legally parked car in front of a white man's home was towed away by the police upon the homeowner's complaint. The Negro was made to pay the towing fee but did not receive a "ticket."

In one case, a car dealer let a Negro customer keep an old car overnight to try it out. He left the old license plates on the car. That night the police arrested the Negro without a warrant, forced him to kneel in the snow and take the license plates off, and took him to the station where he had to post a \$1,000 bond. When the white car dealer rushed to the station to explain the situation the next day, he was informed that the arrested man had already been charged.

Chief of Police Carl Clutts, a former

butcher without any police training, heads up an untrained force of 20, including 4 Negroes. Mayor Lee Stenzel represents the old-time segregationist element in Cairo. His policies are reinforced by the state's attorney, who was appointed after he organized a white Citizens Committee to augment the police force in case of trouble. The Committee frequently trains in white helmets at street corners and is still run by the state's attorney. Cairo has a population of 9,000 about half of which is black. Citizens' complaints are ignored in violation of the Illinois statute that a public hearing must be held on a complaint within 30 days.

Cairo is a very angry town.

Verdict: Guilty

Carbondale Mayor Tries to Revamp Southern-Style Police

Up to six to eight months ago, the favorite pastime of the southern-style Carbondale Police Department was to harass Negroes in their homes in the so-called Northern section. When Mayor David Kenne took office in the spring of 1967, among his immediate acts was to hire a professionally trained Director of Public Safety who has undertaken the tedious job of weeding out undesirables from the police force. Kenne is a Carbondale-born-and-bred businessman with an insight and understanding of the aspirations of young Negroes rarely matched by other officials. For the first time, younger members of the police department are receiving professional training.

The above report was written before the present upset in Carbondale and the dismissal of the Director of Public Safety. The changes enforced by the striking policemen and other city employees must be considered a setback for modernizing the police and community relations.

Verdict: On Probation

ted. However, Negroes committing crimes against Negroes are practically ignored — even murders. Typically, a ten o'clock curfew for children is enforced in the white areas but not in the Negro ghetto.

The 20-man police force, 2 of which are Negroes, is not trusted by the black community and tensions exist between the police and Negroes. While no cases of police brutality are known, incidents have taken place which gave evidence of police favoritism for whites. Presently, the Illinois Commission on Human Relations is trying to set up a human relations department within the police department.

Significantly, complaints against the police are taken to a Mayor's commission which investigates all grievances independently. Freeport has enacted an open housing law, although no significant movement into the white housing areas has taken place.

Verdict: Guilty

Galesburg Police Maintains Excellent Relations with Minority Groups

The attitude and performance of the Galesburg police force, under the leadership of Chief Hunsley backed by Mayor Cabeen and City Manager Herring, has been helpful to the cause of equal opportunity in the city. Of a force of 39 men, 4 are Negro and 1 is of Mexican descent. These include a captain and a detective and range in time of service from veteran to new recruit.

During a period of marches last fall while the City Council was considering a fair housing ordinance, police cooperation with the NAACP was excellent. City officials and the Chief of Police issued a public statement to the effect that the marchers had every right to air their views in this manner, and that the duty of the police was to insure that laws were obeyed and that the person and property of *all* citizens are protected. The statements were backed up by exemplary conduct of the police, and tended to relieve considerable tension in the community.

Citizens' complaints are heard by a civilian review board — the Fire and Police Commission, which is appointed by the Mayor with the approval of the City Council. One isolated case of brutality (not involving a member of a minority group) resulted in the dismissal

of the officer charged. He appealed the decision to the court which upheld the Commission's dismissal.

Although the force is seriously undermanned, the men are apparently well trained. City reports show that in 1967 the men received 4,345 hours of training, or over 100 hours per man on the average. Training has been done in college and university courses and workshops as well as in other normal training situations under the direction of the department, the state police, and the FBI.

Verdict: Not Guilty

Police-Community Relations Improved by Progressive Peoria Administration

Last year Peoria received a grant from the Office of Law Enforcement Assistance of the U.S. Department of Justice enabling it to establish a community relations department. Outside of Chicago, it is the only Illinois city with such a program. The department has a full-time paid civilian director and two officers strictly accountable to it. When the grant expires, Peoria will underwrite the program.

Lately, the community relations department has changed its emphasis from only protecting the image of the police officer to that of attempting to change police attitudes and behavior. Its operation has been resisted by veteran police officers as well as by militant members of the Negro community.

The city administration, generally regarded as very progressive, has elevated the Chief of Police Bernard Kennedy to the new post of Director of Public Safety. In this way his services could be retained after he had made enemies in the wake of initiating new approaches in community relations.

Verdict: Not Guilty

Springfield Chief of Police Promotes Full Integration

Chief of Police Silver Suarez, highly sensitive to the problems of minority groups, has promoted the integration of the police department significantly and no complaints of brutality have been made during his administration. Negro officers have been assigned to administrative and other leadership

positions, especially in the Detective Division. Last year, over the protest of the Policeman's Benevolent Association, two-man squad cars were integrated to the fullest extent possible. Young Negro officers are seen at all times directing traffic.

Verdict: Not Guilty

Waukegan Administration and Police Insensitive to Community Demands

An insensitive city administration and mayor, a careless police, and a tense Negro community portends trouble for Waukegan in the months ahead.

During the August 1966 riots white men from towns west and north of Waukegan were armed and stationed on the southside, which was under strict curfew for several nights. No Negroes were deputized and the curfew was limited to the Negro area of the city.

An investigation of the disorders showed that mishandling of a routine arrest triggered the incidents. On the basis of an investigation, the local NAACP chapter requested: (a) white as well as Negro policemen should be utilized in disturbances; (b) black policemen should serve Negro and white areas; (c) white policemen should also serve the predominantly Negro residential area; (d) Negro civilians should also be deputized in case of disturbances; and (e) courteous police treatment of residents should be enforced.



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YOU
A

Mother of 10 children?
Submarine Commander?
Elevator Operator?
Cub Scoutmaster?
Birch Society Coordinator?

Or someone who has a captive audience and can order 10 or more subscriptions to be mailed to the same address? If so, we offer a 20 per cent discount!

Two incidents reveal the belligerent policy of the city administration and the high level of racial tension. When Stokely Carmichael was a guest speaker in Waukegan last fall, policemen were seen on rooftops with rifles. Estimates run that for every five spectators, the city dispatched one policeman. There is some evidence that the "vigilantes" from surrounding towns were alerted and assembled on a stand-by basis.

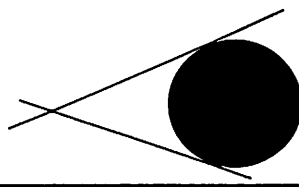
In another incident, following disturbances after a high school homecoming football game, Mayor Sabonjian went on the air and declared that he had ordered his policemen to put away their billy clubs and use guns instead. He also accused several young black men of being black power advocates! One high school girl was arrested be-

cause she appeared to be the leader of several youngsters who continued to chant "Black Power" after a police officer had ordered them to stop.

At a later City Council meeting, the Mayor was denounced by the local NAACP president for his inflammatory speech. He challenged the police to arrest him for shouting "Black Power," which he did.

The city administration assured the NAACP delegation that their cooperation would be enlisted in avoiding future incidents. At the same meeting two white aldermen recommended that parents arm high school students as a protection against the "threat of violence" in their schools.

Verdict: Guilty



Missouri Police Reports

St. Joseph Distinguished by Atmosphere of Cooperation Between the Races

St. Joseph, Missouri, was the first city in the United States to sustain a public accommodations ordinance on a referendum. This atmosphere of cooperation between the races has been maintained. There are no known cases of police brutality. St. Joseph has about 2,500 to 3,000 Negroes, approximately 3 per cent of the population.

St. Joseph is a conservative provincial community with one two-year junior college. No anti-Vietnam or other protests have taken place, which could have involved the local police. Therefore, there is no way to assess how it would react to unpopular movements, although past behavior indicates that it would act fairly.

The local police conduct continuous training programs in cooperation with the FBI and has also received instructions in riot control and in the handling of civil disorders. Unfortunately, there is no citizen review board or any other body to check on the pol-

ice. The police department has only one Negro police officer.

Verdict: Not Guilty

Columbia Maintains Professional Police Force

The Columbia (Mo.) Police Department has a number of Negroes on its force and many patrols, particularly in the Negro areas, are integrated. The Mayor and civic leaders have fully supported an open housing law.

In the political field, the police record is not as unblemished. The Department has actively cooperated with the Missouri University administration in first trying to suppress an independent student newspaper on the basis of an antiquated law, and on another occasion arrested three students who conducted a protest chalk-in on sidewalks. Missouri University students also complain that students from Stephens College, a girls' school, are given preferential treatment. Unlike MU students, their names do not appear in the press and many cases are only turned over to the Stephens College attorney.

Verdict: Not Guilty

Wellston Police Resent Interest of Citizens in Its Conduct

"(Mayor) Hayes resents the interference of the citizens of Wellston into the affairs of Wellston," declared the *St. Louis Post-Dispatch* in one of its editorials. Similarly, the Wellston Police Department — also controlled by Hayes — resents any citizen who is interested in improving the Department.

Repeated requests by citizens of Wellston and community groups in Wellston to work with the Police Department were rejected by Police Major John Hetley: "This is police work and we will run our own police department in the way we feel is best." The 23-man police force includes 2 Negroes. The city has no community relations program, no citizen police review board, no health facilities, no clinics, and no practicing physician.

These conditions are noteworthy in view of the fact that Wellston is a suburb bordering on St. Louis with a population of about 7,800 of which 80 to 85 per cent are Negroes. The 12 members of the City Council are all white. The only Negro in the administration is a city employee who can neither read nor write and has been placed in charge of trash trucks. He is a member of the Urban Renewal Commission.

The Hayes administration has refused a permit to the Gateway Anti-Poverty Center for a voter registration parade, denied city funds to a summer recreation program for deprived children, and attempted unsuccessfully to block the Gateway Center's modest beautification program.

The reason for denying the voter registration parade was the fear of a "social explosion."

In one documented case, the police urged two white criminals to leave town rather than prosecute them for assaulting a Negro. In another incident (witnessed by a white housewife), four Negroes were threatened by two whites. When the police arrived the whites had left and the Negroes were taken to the police station, where the police turned on them. They were asked to drop the charges or the police "would find something" on them. When one told them to go ahead and book them, they were backed up against the wall. They were only released after they promised not to file any charges. Major Hetley was present during this incident.

Verdict: Guilty

Organize Ghetto Residents To Control Civil Disturbances

This Kansas City (Mo.) "Riot Control" plan is probably typical of similar instructions received by the police in all larger cities. We publish it as one example of how the cities plan to deal directly with civil disturbances. While this "application of force" appears to be well designed and on the surface moderate, it leaves too much to the discretion of the individual officer and leaves other questions unanswered.

It ignores the racial aspect of the disturbances and, therefore, the useful assignment of Negro policemen. It uses tear gas and irritant gas, both of which may seriously affect the health of persons. The Federal Drug Administration has never researched the affects of these gases because they do not fall within their jurisdiction. The plan states conclusions, such as, "causes the rioter . . . to lose all desire to return to the riot area," which are unverified. The statement permitting the use of guns against rioters "who attempt to inflict casualties" is vague, undefined, and may be cited as a justification for a panicky policeman.

It is not possible, we admit, to describe every eventuality and decide on specific responses in advance. Much must be left to the commanding officer in charge. Since past experience has shown the lack of effectiveness of the police and the potential for uncalled for violence by the police, as recorded in the report of the Kerner Commission, we believe that a totally different approach should be explored.

City administrations in cooperation with the police should organize members of indigenous ghetto groups, gangs, and institutions who are willing to enter riot areas unarmed. Under no circumstances should these volunteers be permitted to use any weapons. Their strength will lay in being accepted by the rioters and in the common knowledge that they have no weapons. These individuals should be identified by helmets and armbands. Membership should be open to all citizens, men and women. The *sole* criteria for acceptance should be their declaration that they oppose *violent* disturbances. Absolutely no other qualifications should be raised. In case of disturbances, such citizens should be assigned *only* to their own area. Organization could proceed on the *block unit* approach of the Urban League. The chain of command would be members of this volunteer group who would decide, in cooperation with the police, if, when, and who would be asked to serve.

FOCUS/Midwest believes that such an approach would be both more effective and better overcome the racial hostilities evident in any riot. Implied in this recommendation is also our belief that the rioters are not criminals.

Even if the police departments do not follow through on this or a similar alternative to gas, dogs, and sharp shooters, ghetto leaders are free to organize such an urban guard on their own and place it at the disposal of the authorities.

(It should be stressed that the following plan was not received from the Kansas City Police Department or any other Kansas City source.)

The Application of Force in Riot Control

INTRODUCTION: When a riot occurs, the mission of the police is to restore and maintain law and order. Decisive control measures are absolutely necessary for the successful accomplishment of this mission. Sound judgment dictates that *only* the force necessary be used against rioters; to do otherwise may unnecessarily jeopardize life and property. Members of a mob are quick to sense fear, indecision, and poor organization of a police agency performing riot control duty. Therefore, successful riot control is dependent upon efficiently executed tactics by a group of law enforcement officers dedicated to team work, mutual support, and the principles of law and order.

DEGREES OF FORCE

1. The Show of Force

A show of force represents the intention of a riot control group to maintain order through the employment of organized police forces. Fear is often created within individual members of a mob who find themselves in the path of an advancing, armed, determined, and organized force of uniformed men. The function in the show of force is to disperse the mob while avoiding physical contact between the rioter and the policeman.

- A. Formations using platoon strength.
- B. Motorized roving patrol and vehicles integrated in formations.
- C. A combination of both platoon formations and motorized patrol.

2. The Employment of Police Batons

- A. To be used when a show of force is necessary.
- B. Use manual of baton with military precision for best psychological advantage.
- C. To be employed to disperse large masses of people or when mob is combative but no weapons are being used against police.

3. The Employment of Riot Control Chemical Agents

- A. To be used where mob becomes violent and begins to use weapons. May be necessary to employ on an unruly crowd of overwhelming numbers.
- B. Physical effects of riot control gases
 - 1. Tear Gas (CN)
 - (a) Profuse watering and closing of eyes.
 - (b) Burning sensation on moist skin area.
 - 2. Irritant Gas (CS)
 - (a) Extreme burning sensation of the eyes and moist parts of body.
 - (b) Copious tears
 - (c) Coughing and chest tightening
 - (d) Involuntary closing of the eyes
 - (e) Nasal Drip
- Note: CS produces effects more severe than CN which causes the rioter to vacate the area and lose all desire to return to the riot area.

4. The Employment of Trained Police Dogs

- Due to natural resentment and ill feeling on the part of the public to the indiscriminate use of dogs, obviously the dogs and handlers must be well trained and disciplined.
- A. Situations which could justify the use of dogs.
 - 1. Security of Police installations.
 - 2. Where officers are physically attacked.
 - 3. During and after tear gas attack (CN only)
 - 4. To assist in "flushing" out rioter or felon.
- B. The decision to use dogs must be left to the sound discretion of the Commanding Officer in charge.

5. Fire by Selected Marksmen

To be used against rioters who attempt to inflict casualties upon the police through the use of small arms fire, explosives, fire bombs, and other lethal devices which can result in death or severe injury.

6. The Use of Unit or Individual Fire

To be used to protect the life and limb of the officer or another innocent person.

CONCLUSION: Only the measure of force needed to control a specific situation should be used; no more and no less.

Lt. Maynard L. Brazeal
Kansas City Missouri Police Department

*In such ways
as this
are prophecies
borne out*



My first poem I wrote in solitary after trying to escape from the Missouri State Penitentiary. It was submitted to Thorpe Menn, book editor of the *Kansas City Star*, who turned out to be the major influence in my changing from a "desperate kid" to a hopeful writer. Then and now I am serving four life sentences.

By now I have broken not only into the *Kansas City Star*, but also *The Christian Century*, *The Christian Science Monitor*, *Beloit Poetry Journal*, *Scimitar & Song*, and several other journals. I was one of the semi-finalists for the Kansas City Star Awards in 1966 and won Honorable Mention in the Writer's Digest Annual for 1966. The Bella Vista Press has accepted my first book of poems and Dr. Anne-Marie Hamburg has indicated that she might include me in her forthcoming anthology of American Poets. As a painter, I have exhibited in Missouri (won a few ribbons), in Canada, and was recently one of a small group showing at Gallery 79 in Paris.

Beginning with Thorpe Menn, who made me feel that there may be others like him and if there were, I would rather be part of his world than the one I had always known, I have progressed (if that is the right word) and am now writing a novel and a collection of essays.

My real purpose in immodestly revealing these accomplishments is a hunch of greater things to come. You be the judge.

This is a strange story, perhaps even a disturbing story. I will relate it as it occurred.

Yesterday, I spent the entire morning reading. Early in the afternoon, for no clearly ascertainable reason, I experienced a sudden desire to read all of the letters sent to me by editors (12,000 rejection slips and 4 or 5 letters) in connection with my poetry. I ran across the first letter postmarked February 9, 1962. In these five years, this was the first time I had paid any particular attention to the postmark on that letter. This, in turn, caused me to recollect that my first poem had been written on the spur of the moment, mailed, and that letter received in only four days. My first poem must have been written on the 5th of February, 1962. Idle observation? I thought so at the time, but — well, let me not digress.

Later that evening I was idling in front of my neighbor's cell, and casually inquired about the titles of some of the paperbacks on his shelf (although I had an abundance of books in my own cell.) After rummaging around, he handed me "A Gift of Prophecy." I accepted the book and ended

up spending the rest of the night reading about the clairvoyant Jeane Dixon. It turns out that she has predicted all types of catastrophes which have later come to pass.

Toward the end of the book, she narrates a vision she had: a desert with a blinding sun on the horizon. To the left of the sun was a pyramid. Then, out of the sun walked a Pharaoh and Queen Nefertiti. The Queen had a baby cradled in her arm, and she could tell by the knowing look in his eye that the kid had a lot on the ball. In the orb of the sun she could see Joseph "guiding the tableau like a puppeteer pulling strings." The date of the vision was February 5, 1962.

Jeane Dixon interpreted the dream to mean that a child was born in the Middle East shortly after 7:17 a.m., February 5, 1962. This person is of humble origin, "but he is the answer to the prayers of a troubled world."

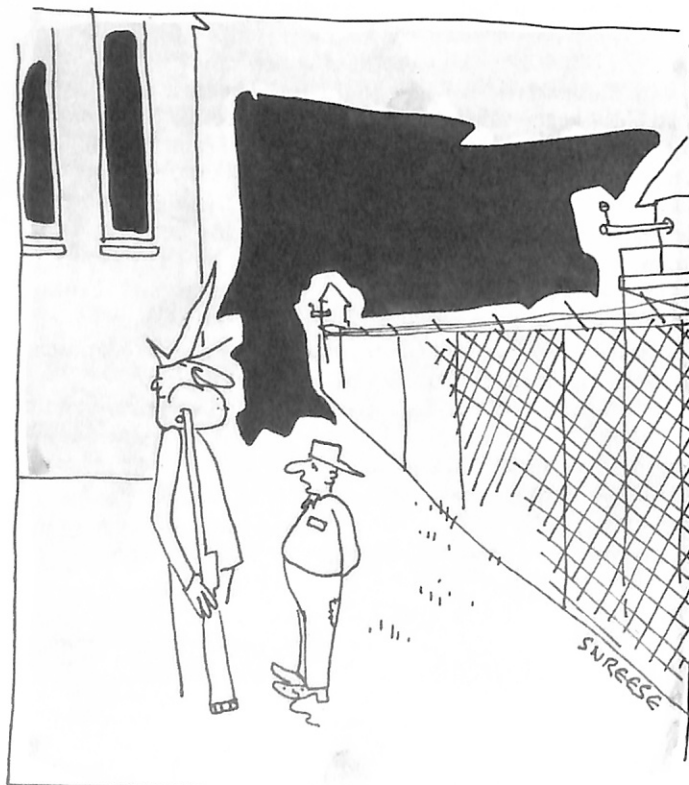
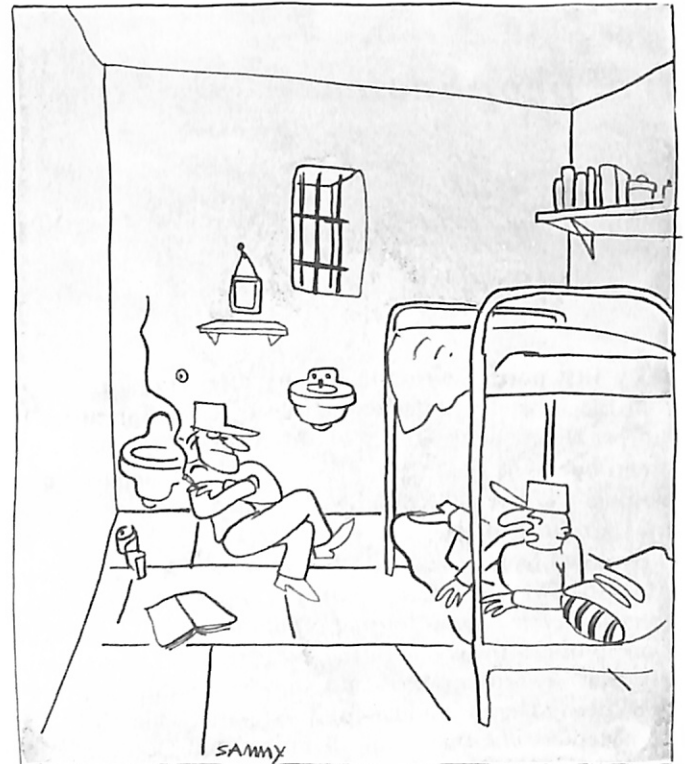
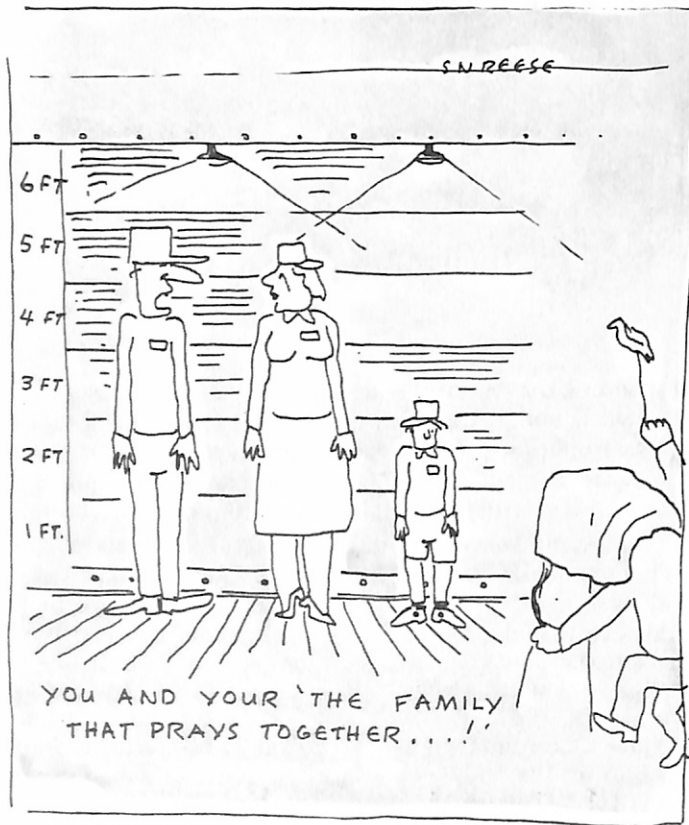
After hours of meditation, another interpretation offers (at least to me) a more life-giving promise (remember, it's the symbolism not the exactness which counts).

The Mideastern setting could have been a clue to the word Midwest. The baby does not necessarily signify a physical birth, but could mean the Birth of a Writer. The vision of Joseph (my name is Joseph) would complete the following picture: *The birth of a writer named Joseph in the Midwest on February 5, 1962*. We must not forget the pyramid — a large stone structure erected by the Egyptians as a place to put the dead. The poem I wrote on February 5, 1962, was written while a prisoner in the Missouri State Penitentiary — a large stone structure erected as a receptacle for the living dead. For, I am you see, *civilly dead*.

On the basis of the foregoing I am led erratically, but irresistibly, to the conclusion that I am this person whom everyone has been praying for.

Then, after more hours of meditation, I began to wonder. They may not be praying for a savior at all — they may be praying for a scapegoat; they will not hug him with reverence, but hang him with relish. Look what happened to Christ — and he didn't even have a record!

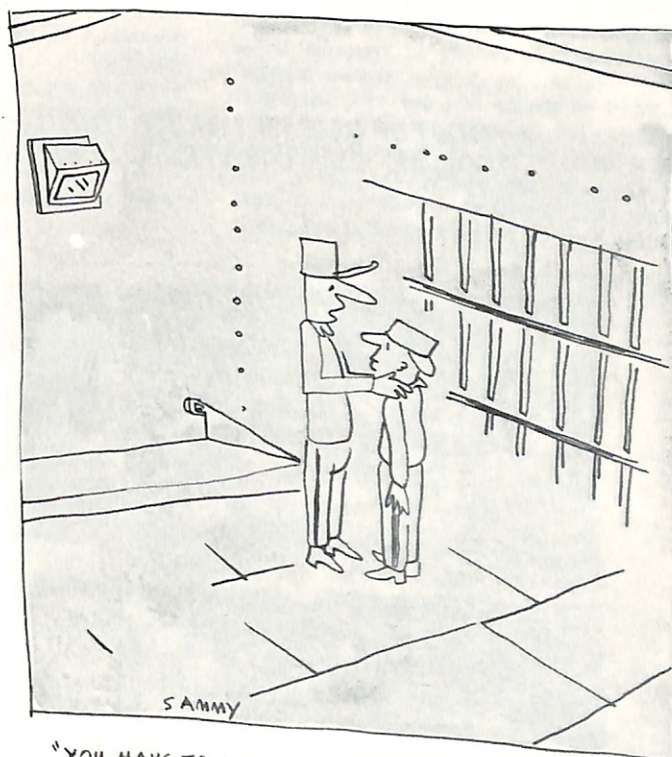
Joseph John Maloney is a prisoner at the Missouri State Penitentiary. He is a poet, writer, and painter. Thorpe Menn, book editor of the *Kansas City Star*, described his poetry as "some of the most powerful ever to come out of Mid-America. It can hit you like a fist, then dim your sight. He writes in a muscular manner, and with complete honesty."



Samuel Reese began his cartooning career eight years ago for the Jefftown Journal, the prison publication of the Missouri State Penitentiary. Since then he has illustrated a book, and was written up in Time magazine.



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"I DON'T KNOW WHAT IT IS, CHARLIE. I GUESS I'VE JUST ALWAYS LIKED WOMEN."



"AND GOD BLESS THE WARDEN, AND GOD BLESS THE DIRECTOR, AND GOD BLESS THE CASEWORKERS..."

*THE PLAQUE IN THE READING ROOM
FOR MY CLASSMATES KILLED IN KOREA*

F. D. Reeve

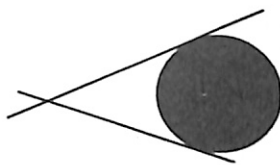
The sky is a dead fish.
Magnolia petals in mid-May rain
fall like scales off its white belly.
They stick on the fishwife hands
of the library. Wisteria vines are the veins
of childhood wrapping the thighs with wishes,
rising high in the throat to the golden dome
where the evening bell swings. *Finis.*
Down come the loneliest, home.
Schoolboys crouch in the light blue rooms
of the hollow belly, turning the States
over and over, page by page.
The sky keeps falling; gentle doom.

A baseball boy with big eyes unfurls
Columbus again and again,
sailing him out from Spain
to Indians and the New World.
His ships wear a track in the ocean.
Women and swords touch his name.
Europe swoons. For duty, devotion;
for bones, the eternal flame.
O memory, you tale-teller.
What do you need museums for
with all the burying-grounds around?

The vines weave coffins on the wall.
The War for Independence found
almost tears behind the pewter eyes,
swam like a fish into England,
was netted and overhauled to France
The hawk at high noon whorls
through eddies of air like a sail in the sky,
then skiffs to harbor at dusk to die.
These books mirror my mind:
Boston Tea Party, Whisky Rebellion,
Daniel Shays, Civil War
war war war war.

I imagine I am a fish
sticky, salted on Boston Common.
Later I will be Henry Adams,
play Sacco and Vanzetti,
tour Paris in a 190 SL Mercedes.
Now on a fog-filled night in the ice fields
off Cape Horn I hear
the groaning rigging in my sleep,
the bells tolling underneath
the windows of the fishes' tower.
The sea is a dark power.
I sing and I sing to the wind
as the world goes past its mind
beyond reason and fish and the sun's jellied eye.
Magnolia parachutes fall off the sky.
These boys, these vines, this white-petalled rain:
Tonight I open a book
as if opening my veins.

F. D. Reeve has published poems in The Kenyon Review, The New Yorker, The Hudson Review, and other magazines. He has edited, translated, and written several books, of which the most recent is "The Russian Novel."



THE RIGHT WING

American Farm Bureau Federation

The annual Farm Bureau convention criticized the National Council of Churches and the National Catholic Rural Life Conference for "lobbying on purely secular issues and participation in farm-labor disputes." Both have angered the Farm Bureau by trying to improve migratory labor conditions.

America's Future

A key spokesman for America's Future — George A. Membrez, Jr., executive secretary of its Textbook Evaluation Committee — is the latest to appear on the Forum run by Clarence Manion, Birch Council member. Membrez told about the 500 books reviewed

by his right-wing group in the past eight years.

American Independent Party (Wallace for President)

One of the leaders of the AIP in Missouri is Floyd Kitchens. Among many other activities on the radical right, he was also president of the so-called St. Louis Property Owners Association which held a joint meeting with the National States Rights Party where anti-Negro and anti-Semitic newspapers were openly distributed.

John Birch Society

New members on the National Birch Council were named by Robert Welch. They are: S. J. (Jay) Agnew of Centralia, Washington, owner of the Agnew timber and plywood interests in the Pacific Northwest; Clifford Barker, a graduate engineer from California who has just moved to Fairfax, Virginia, and becomes one of the youngest Council members (34); Carlton Beal, a petroleum engineer and businessman from Midland, Texas; Robert Buffington, of Glenwood, Iowa, the first farmer on the Council.

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The Christian Crusade

Dr. Billy James Hargis had at his Leadership School, besides Phyllis Schlafly and assorted Birchites, Rev. J. H. Jackson, of Chicago, who is President of the National Baptist Convention and an "outspoken conservative Negro leader." Hargis is plugging Jackson's book, "Unholy Shadows and Freedom's Holy Light," and distributing both that and Mrs. Schlafly's current book.

Church League of America

The League's current publication attacks a move to bring Catholic representatives into a local Protestant council, renews the League's attacks on the National Council of Churches, and says that the League has taken in \$1,732,546.63 during the first 10 years of Major Edgar Bundy's direction.

Financing

A study of the finances of the economic and political right wing in America for 1964 and 1965 discloses that 40 operations for which data were available increased their combined totals from \$15 million the year before to \$21.3 in 1965 and allows a conservative estimate that the movement as a whole operated in 1966 at a level of \$40 to

\$50 million a year — a substantial increase each year. These facts appear in a supplement issued by Group Research, Inc., to its three-year old study of right-wing financing which concluded that 30 groups accounted for \$14.3 million in 1963 and estimated that the inclusion of groups for which data were not available would easily bring the total to \$30 million a year. The current study used 40 groups and based projections on comparable data.

The top eleven organizations are:

John Birch Society	\$4,089,000
20th Century Reformation	
Hour(McIntire)	3,040,000
Human Events	1,236,500
National Review	1,137,000
Christian Crusade (Hargis)	1,106,900
Freedoms Foundation at	
Valley Forge	1,021,900
Life Line (H. L. Hunt)	951,600
Manion Forum	782,500
American Economic	
Foundation	666,900
Christian Anti-Communism	
Crusade (Schwarz)	604,000
Foundation for Economic	
Education	584,800

(The Birch Society just disclosed that it took in \$4,258,000 in 1967.)

National Right to Work Committee

Among the six new directors of the Committee are two from Missouri: George Seay, an employee of McDonnell Douglas, and Buell Baclesse, a businessman from Jefferson City.

Publications

The annual round-up of circulation figures for conservative and right-wing periodicals indicates a slight net decline in 1966-67. *New Guard*, the monthly magazine of Young Americans for Freedom, lost half of its circulation. Subscriptions to Gerald L. K.

Smith's monthly, *The Cross and the Flag*, was reported to be down by more than a quarter. The *Dan Smoot Report* was down 28 per cent; *Liberty Letter* off by 15 per cent; and the Birchite *American Opinion* magazine dropped off 13 per cent. Other periodicals showed increases. Among these are *Human Events* (6%), McIntire's *Christian Beacon* (8%), and Hargis' *Christian Crusade* (9%). Most spectacular was the resurgence of *Common Sense*, the strident and bigoted publication, which registered an 87 per cent increase. The ten largest are:

Liberty Letter	148,200
Human Events	101,500
National Review	92,400
Christian Beacon	91,500
Christian Crusade	77,900
Councilor	73,100
American Opinion	37,800
Wanderer	28,500
Common Sense	28,000
Citizen	22,900

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